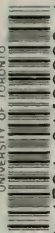


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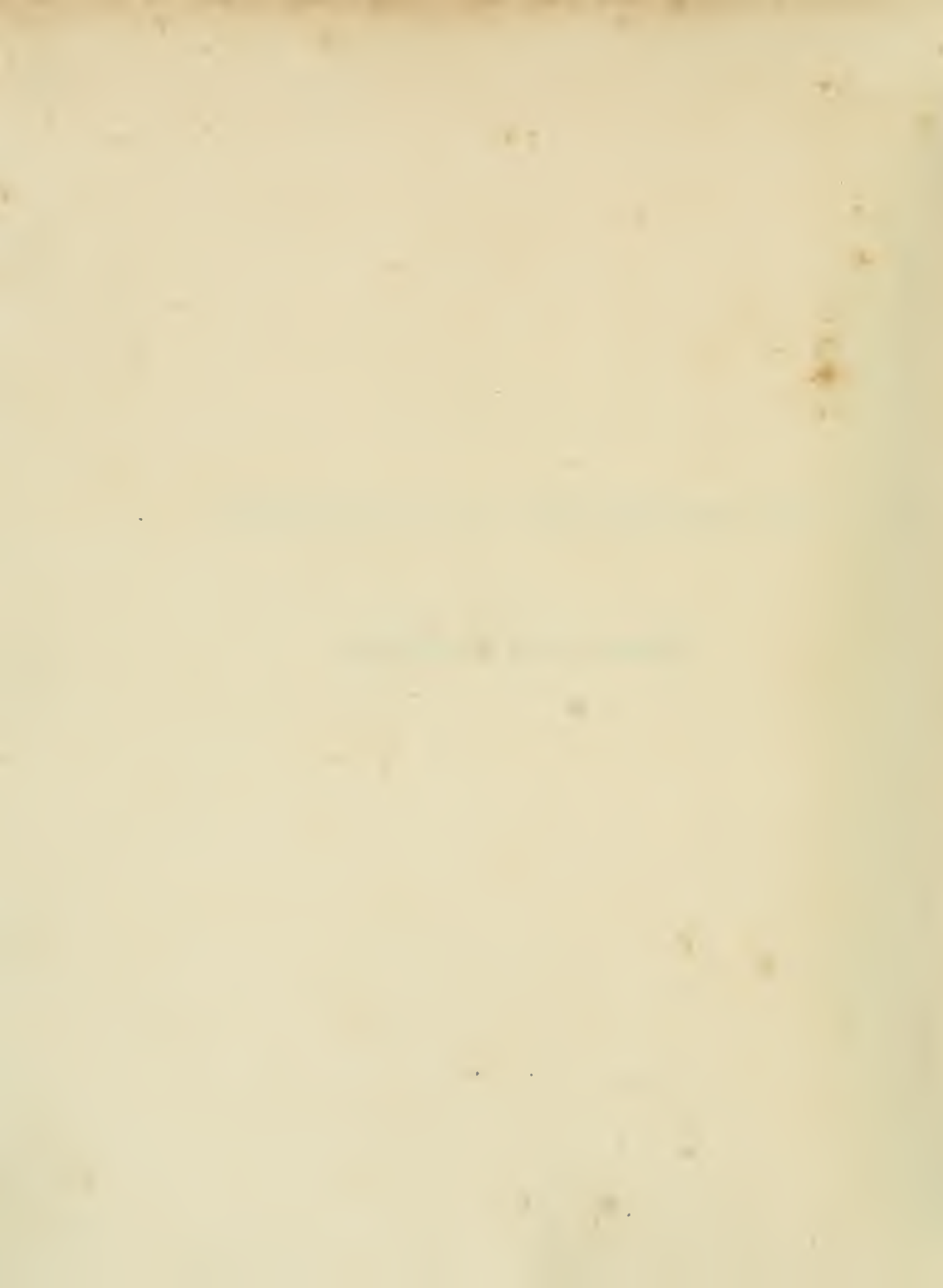
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THE BERKELEY MANUSCRIPTS



Lives of the Berkeleys



THE BERKELEY MANUSCRIPTS

THE

Lives of the Berkeleys

LORDS OF THE
HONOUR, CASTLE AND MANOR OF BERKELEY

In the County of Gloucester

FROM 1066 TO 1618

WITH A DESCRIPTION OF THE

HUNDRED OF BERKELEY AND OF ITS INHABITANTS

BY JOHN SMYTH, OF NIBLEY

VOL. I

EDITED BY SIR JOHN MACLEAN, F.S.A., ETC.

FOR THE BRISTOL AND GLOUCESTERSHIRE ARCHÆOLOGICAL SOCIETY

GLOUCESTER: PRINTED BY JOHN BELLOWS,

FOR THE SUBSCRIBERS

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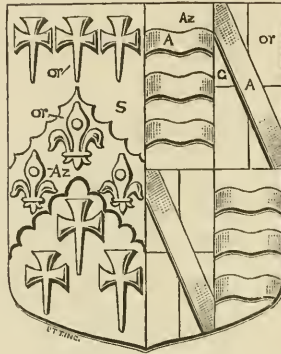
OF TORONTO

To the
Right Honourable
Francis William FitzHarding Berkeley
Lord FitzHarding
This Memoir of the Lives of the Berkeleys,
Lords of the Honour, Castle and Manor of Berkeley, etc.,
Written by John Smyth of Nibley
in m.d.cxbii
preserved in the Muniment Room
of
Berkeley Castle
and now with his Lordships permission first Printed
is, by the
President and Council
of the
Bristol and Gloucestershire Archaeological Society,
most gratefully
Dedicated

PEDIGREE OF SMYTH OF NIBLEY

PEDIGREE OF SMYTH

(FROM THE VISITATIONS OF



1 Anne, † eldest dau. of Sr. Edw. Bromfield † of Suffolk place in Co. Sur. Knt. <i>bur.</i>* 2 Dec. 1643 aged 36 <i>M. I.</i>	1 John Smith † of North Nibley in Com. Gloucestr. Esqr. one of His Mats. Justices of the Peace for ye County of Gloucestr. born 8 Sept. 9 Jac. <i>bap.</i>* 12 Sep. 1611 and is now living æt. 71. <i>Died</i> 17 Sep. 1692 aged 82 <i>bur.</i>* <i>M. I.</i>	2 Anne, youngest dau. of John Bromfield of Udimer in Co: Suffex, gent : 2. wife. <i>Died</i> 21 Mar. 1686, aged 72. <i>bur.</i>* <i>M. I.</i>	2 Thomas † Smith of Stonehouse in Com : Glouc. now living 1682. <i>Bap.</i>* 27 Dec. 1613	1 Mary † eldest dau. and coheir of Stephen Fowler of Stonehouse Co. Glouc. gt. 8 Jan. 1632. 3.
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1 Edward Smith of North Nibley aforesaid æt: 50. ann: 1682. <i>Died</i> 31 Oct. & <i>bur.</i>* 4 Nov. 1700 aged 70. <i>He was a Bencher of the Middle Temple, one of H. M. Judges for the Circuit of South Wales, High Steward of the Borough of Southwark &c. M. I. Will dated 4 May 1692</i>	2 Rofe youngest dau. of Sr. Edw. Leigh of Shipley in Com. Derb. <i>Mar.</i>* 20 Jan. 1658. 9. <i>bur.</i>* 29 Oct. 1689	3 John died at Naples æt. 1665	3 William Smith obiit apud Mettlopotan in the East Indies	4 Cordelia dau. of John Everett of the City of Canterbury gt. <i>bur.</i>* 21 Mar. 1681. 2.	4 Anne wife of John Nourfe of Weston under Penyard Ireland Hereford Esqr. 44. ann: 1682. æt.	5 Thomas Smith <i>bap.</i>* 2 Jan. 1637. 8 now living in Ireland 1682. æt. 44. ann: 1682.	6 Elizabeth dau. of Carrick of Ireland 26 Dec. 1638 wife of Wm. Archard of Nibley in co: Glouc. gt. <i>Mar.</i>* 22 Dec. 1658. <i>he bur.</i>* 1 June 1668 <i>she bur.</i>* 12 Aug. 1708	7 Margaret <i>bap.</i>* 10 Dec. 1639 wife of Tho: Simonds-hall in co: Glouc. gt. <i>Mar.</i>* 22 Jan. 1662. 3.	8 Elizabeth <i>bap.</i>* 11 Jan. 1640. 1 now living unmarried æt. 40	8 James <i>bap.</i>* 11 Jan. 1640. 1 now living unmarried æt. 40
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1 John <i>bur.</i>* 7 June 1671 2 Edward <i>bur.</i>* 8 Feb. 1680. 1 3 Jane <i>bur.</i>* 6 Oct. 1681 4 Rofe <i>bur.</i>* 29 Oct. 1681 5 Hesther <i>bur.</i>* 8 Feb. 27 ap. 1681 dyed young	7 John 8 Anne 9 Dorothy 10 Hesther dyed young	11 James of the City of London now living 1682 æt: 11 an: <i>Will dated</i> 1709	John Smith æt: 18. ann: 1682.	John æt: 8. Thomas æt: 6. Elizabeth æt: 6. and others
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A

* At Nibley.

† The names thus marked are mentioned in the will of John Smyth, dated 1640.

OF NIBLEY

GLOUCESTERSHIRE 1623 AND 1683)

Willmus Smith de Humberstone in Com. Lincoln. = Emot one of the 5 daughters and heirs of.....

Richard Smith eldest sonne hath issue.

Thomas Smith de Hooby in Com. Leiceſter ſecond ſonne. = Joane daughter of Richard Alan of Derby.

Grace dau. and heir of Willi Thomas and Alice his wife dau. of Richard Hill and relict of John Drevof Nibley who was bur.* 31 Mar. 1597. Mar.* by lic. 5 Oct. the ſame year. Died 9th and bur.* 11th Nov. 1609.

John Smyth of Nibley in Com. Glouc. gen. living ao. 1623. Died 25th and bur.* 27 Feb. 1640. 1. aged 73 M. I. Will dated 1. Dec. 1640. Prov. 16 Nov., 1641. (135 Evelyn.)

John Smyth

Mary † eldest daughter of John Browning in Cowley (Co. Glouc.) Gen. mar. at Cowley 9 Jan. 1609. Exeutive to husband's Will.

daughter mar Stephen Fowler †

2 Urfula † *hap** 1 May 1618 wife of Will. Thorp † of Wands- well in poch. de Berkeley com. Glouc. Elqr. *mar** 10 Jan. 1636. 7.

3 Elizabeth † wife of Edw. Hill † of Cam in Com. Glouc. gt. *Mar** 10 Jan. 1636. 7.

3 William Smith † *hap** 22 May 1625 of South- field in poch de Kings- wood in Com. Wilts ob: cir: 17 Mar: 1681 æt cir. 57.

Cath. ſole dr. and heir of Richd. Martin of Nibley in com: Glouc. *Mar.** 16 Mar. 1646. 7.

4 George Smith † *born* 28 *hap.* 30 May 1629 of Twickenham in co. Midd. living ao. 1682.

Mary ſole dau. and heir of David Offley of the City of London gent.

5 Richard † *born* 31 Mar. *hap.** 3 Ap. 1631 and Sarah *hap** 23 Sep. 1627 *bur** 2 Feb. 1642. 3 ob. s. prole

10 Richard *hap** 14 Ap. 1643 now living un- married æt. 37 an: (obijt July 83)

9 Charles Smith *hap** 10 Ap. 1642 of living un- married End in ye pariſh an: of Horſley in co: Glouc: æt. 39.

Anne æt: 5. Mary æt: 4.

1 Arabella *died* 10 Feb. 1647 *bur.** M. I. 2 Geo. 3 Hen. 4 Rob. Ob. s. pr.

5 Gabriell Smith a Druggiſt in Lon- don now living 1682 æt. 28.

Gabraell æt at. 1. ann:

Anne eldest dau. of Samuel Symonds of the City of London Druggiſt

6 John now living un- married æt. 24.

1 Anne æt: 5. 2 Grace æt: 3.

Thomas Smith æt: 30 ann: 1682

Mary æt: 8. ann: 1682.

Mary dau. of Nathaniell Ridler of Chalford in com: Glouc.

1 William æt. 33
2 John 31
3 Margaret 29
4 Mary 27
5 George 25
6 Richard 24
7 Sarah † 22
8 Thomas 18

Wm Smyth

*At Nibley

† This Will. Smith is now reſident at North-Nibley, and married Mary dau. of Thos. White of Fidleford, in poch. de Sturmiſtr. Newton in com. Dorſet, widow of Edw. Codrington, of Sutton in Wilth., but hath as yet no iſſue.

PEDIGREE OF SMYTH

I. C. B. 90. 554.
 I. 33. 290.
 K. 5. 35.

A

George Smyth of North Nibley in Co: Glouc: Esq. aged 17 years in 1682.	Margaret, da: of Charles Dowdeswell of Forthampton in Co: Glouc.	Richard Mitton of Halton Co: Salop, Esquire. 1st Husbd.	Lætitia Owen, only Sister & Heir= of her Brother Thomas, born 5th & bapt. at Condover 14th April 1696 died 10 & burd. 20 Aug: 1755. Will dat. 16 Oct. 1750.	Trafford Barnston, of Trafford in Co: Pal: Cest: Esq. 2d. Husbd. Marrge.Covents.dated 7th & 8 May. 1735.
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George Smythe of North Nibley in=
 Com. Glouc. Esq. living 1763. *born*
21 Ap. bapt. 5 May 1812 Died at*
Shrewsbury & bur. 31 Jan. 1771.*

Lucy, Dau'r & Co-heir of
 Biggs of Benthall,
 Co. Salop, by Lucy his wife.
 buried at Nibley,

Sally married at St. Mary's in Shrews- bury 13 July 1767 to Rev. Saml. Sandys Son of Edwin Sandys Prebendary of Worc.	The Rev. John Smythe of Moreton on the Hill in Com. Glouc., Clerk. Sometime Cornet in the Prince of Wales's Regt. of Dragoon Guards.	George Smythe of Nibley Esquire Son and Heir. <i>born 19 and bapt.*</i> <i>23 March 1736.</i>	Anne only dau'r of Thomas Willis of Whaddon Hall in Co. Bucks Esq. ob: s. p.	Nicholas Smythe of Condover & of North Nibley Esq. High Sheriff of Co. Glouc. died 3 March 1790.	Anna-Maria succeeded to the Condover Estates by her Grandmother's Will. Mard. at St. Geo., Han: Sq. 19 Jan. 1767. Died 27 Feb. 1776 aged 33. burd. at Condover.
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Edward Pemberton=
 of Longnor in the
 County of Salop
 Esquire.

Anna - Maria - Emma
 eldest daughter born
 15 May 1770 & mar-
 ried at Condover 9
 Feb: 1792 now eldest
 Coheir of her Brother
 1814

Nicholas-Owen Smythe-Owen of Condover=
 Esquire eldest Son & Heir born 7 March
 1769 took the Surname & Arms of Owen
 by virtue of the King's Royal Sign Manual
 bearing date 24 Feb. 1790 died without
 Issue 30 Jan: 1804. buried at Condover.
 Will dat: 20 Dec. 1797. proved with a Cod:
 21 Feb. 1807. (P. C. C.)

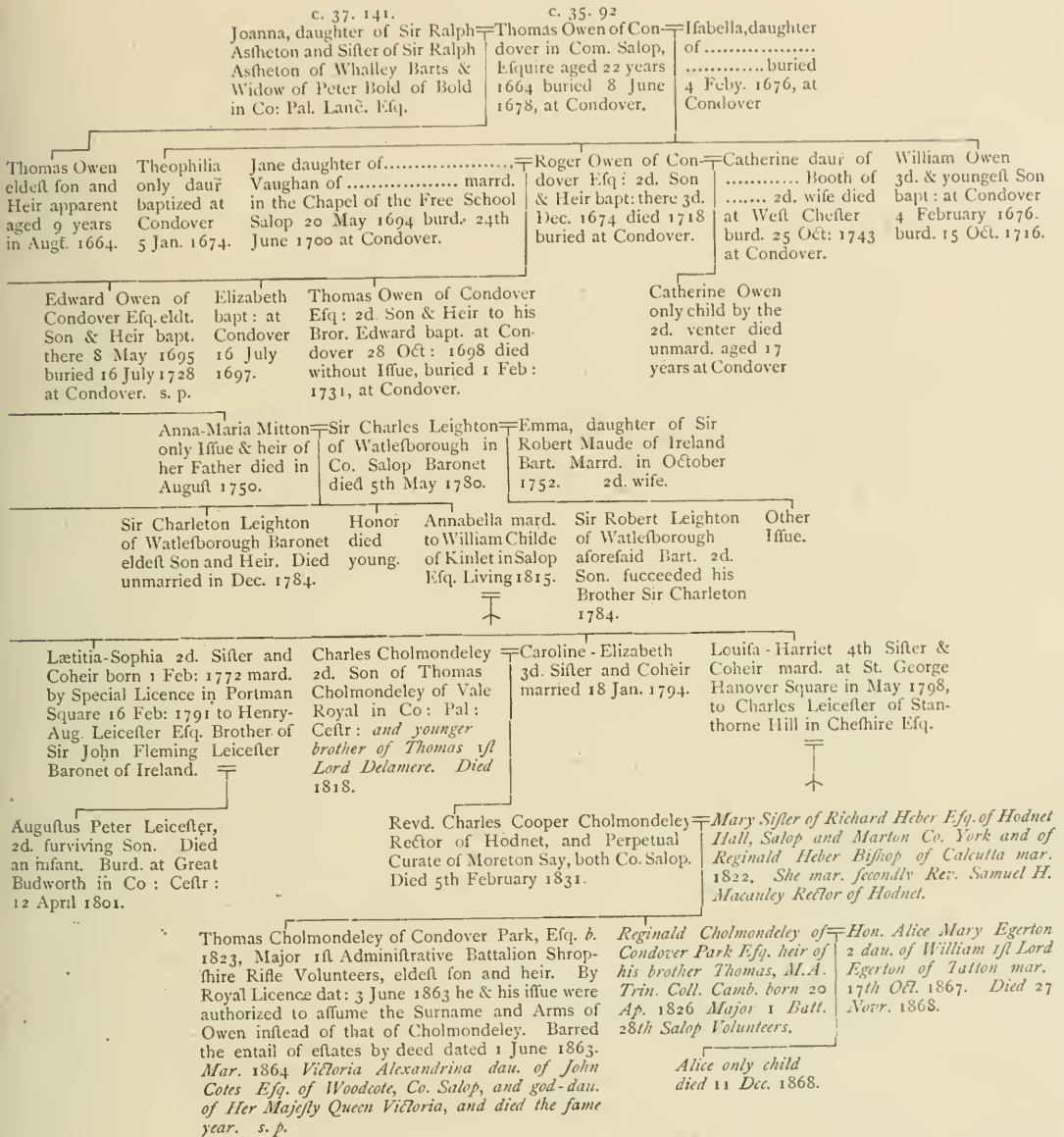
Harriet only dau'r of James
 Townsend of Bruce Castle in
 Tottenham Co: Middx. Esq.
 Alderman and sometime
 Lord Mayor of London.
 Marrd. at Tottenham 12 July
 1790. Living 1815.

Edward-William-Smythe Pemberton only Son
 and Heir apparent born 28 Dec. 1793, assumed
 the Surname and Arms of Owen instead of that
 of Pemberton by virtue of the Royal Sign Manual
 bearing date the 24 December 1814 and is now
 Edward-William Smythe-Owen of Condover
 Esquire 1815. Died 9 April 1863. s. p.

Harriet Pemberton
 eldest daughter.

Caroline Pemberton
 second & youngest
 Daughter.

OF NIBLEY



This Pedigree is an amalgamation of the entries at the Visitation of 1623 (attested by John Smith whose coat is there impaled with Browning) and of 1683—attested by Wm. Smith where the simple shield (not here repeated) of Smith, alone is Tricked.
5 Jan., 1883.

STEPHEN TUCKER, Somerset.

PREFACE

The members of the Bristol and Gloucestershire Archæological Society should feel deeply grateful to Lord Fitz Harding for his obliging permission to print the long celebrated and most valuable historical MSS. of Mr. SMYTH, which for two and half centuries were carefully and closely preserved by successive Lords Berkeley in the Muniment Room at Berkeley Castle. For purposes of Topography, Biography, and Genealogy, these works may justly be esteemed as not inferior to any which have been ever issued from the press.

During the whole of a long life Mr. SMYTH was Steward of the Hundred of Berkeley, and of all the Manors of the great Berkeley Estate. It must, however, be borne in mind that his office was very different in character from that of noblemen's stewards at the present day. Under the old manorial system the Steward stood in the place of the Lord himself, as the judges now stand in the place of the King. He presided as judge of all the Courts leet, which were held twice a year, and, within their jurisdiction, took cognizance of all offences under high treason. He presided also at the Courts Baron of all the Manors, usually held every three weeks. These Courts, and their being regularly held, were essential to the existence of a Manor. If the Court Baron ceased to be held, the Manor, *ipso facto*, ceased to exist. The Courts Baron took cognizance of all injuries, trespasses, debts and other actions under 40/- between person and person; and they were charged with the preservation and maintenance of all the customs and franchises of the Manor, the presentation of the deaths, &c., of tenants, and of all abuses, encroachments, nuisances and injuries which might be to the prejudice of the Lord. It is true the free tenants, or homagers, acting upon their oaths,
were

were the judges, yet the Steward presided and regulated the procedure. In fact the office of Steward of a Manor was a judicial one requiring legal knowledge and special training. In this office Mr. SMYTH had charge of the valuable evidences in the Muniment Room of the Castle. To the study of these rich treasures he devoted himself, and taking a deep interest in the honour, welfare, and dignity of the great family which he served, he was led to write a history of the lives of the first 21 Lords of Berkeley, extending from the Norman Conquest down to 1628. In his original title-page SMYTH professes to have continued his history to the year 1618 only, but he must subsequently have added to it, and in some instances has brought it down to 1628, in writing having for his chief object the instruction and information of the young lord George, then a minor, pointing out for his warning, and that of his successors, the errors and faults of their forefathers, and as an example the good deeds their progenitors had performed. He also traced the devolution of the numerous Lordships, Manors and Lands, which, during five centuries, the family had held. Not only did he, in the prosecution of this and his other works, altogether twenty-one in number, of which we shall speak more in detail hereafter, make himself thoroughly acquainted with the precious evidences at Berkeley, but having become an accomplished reader of ancient documents,¹ he also acquired such ample knowledge of the Public Records of the kingdom as few have attained unto, and considering the scanty opportunities for examination afforded in his time, the result is very surprising, and bears strong testimony to his diligence and perseverance. Fosbroke, the County Historian, who was one of the very few persons who were permitted to see SMYTH's MSS., says of him, and we entirely concur in his testimony, that "As a topographical antiquary, he is not excelled by Sir William Dugdale; nor as a genealogist by the Earl of Egmont in his elaborate and comprehensive History of the House of Ivery . . . his Lives of the Berkeleys is most

¹ He strongly recommended the young Lord George "advisedly to read over some of these accounts of his ancestors courses and fashions of regulating their Estates." . . . "The hand, he says, is reasonably easy after a little acquaintance, as soone attained as the lawe french of Littleton; the latin smooth and delightful."—See page 305.

most minute, and contain many things respecting the pedigrees of some of our nobility, &c., not to be found in the Peerages or Heralds' Office."

JOHN SMYTH, the author, is shewn in a pedigree, recorded in the College of Arms, of the Heralds' Visitation of Gloucestershire in 1623, as the son of Thomas Smyth of Hoby in the county of Leicester, second son of William Smyth of Humberston in the county of Lincoln, and he is allowed the following Arms:—Sa. upon a Chevron engrailed between six crosses pattee fitchee or, three fleurs de lis az., each charged with a plate. These are the same Arms as were borne by Richard Smith, Alderman of London and Sheriff in 1508, who was the son of Thomas Smith of Staffordshire, and ancestor of the family of Smith of Theddlethorpe, except that in the latter the fleurs de lis are not charged. This would indicate his descent from that family.

JOHN SMYTH was born in 1567, and educated at the Free School at Derby, whence he came in 1584 to attend upon Thomas, son and heir of Henry, 17th Lord Berkeley, then aged 9 years, at Calowden, where the Berkeleys at that time resided. It must not be supposed that young SMYTH's position in the family was of a menial character as we now understand the word. We have shewn that he was of gentle birth by the fact that his family was armorial, and it was the general practice at that date, and long before, for the younger sons, and the daughters of gentlemen of good ancestry, to become members of great households upon their entrance into life, the former as pages and afterwards as esquires, and the latter as waiting gentlewomen. This was of great advantage to the young of both sexes—to the former not only in obtaining instruction in the ordinary branches of education and training in military exercises, but to both the acquisition of courtly manners and a seemly behaviour, which in young persons is of great importance. This position is illustrated by the fact that William Ligon, a scion of the ancient house of Ligon of Madresfield, now represented by the Lord Beauchamp, and nearly related to the Berkeley family, was admitted to
the

the household at Callowden at the same time as SMYTH and in the same capacity. The two boys appear to have been as much the companions as the attendants of the young Lord, the three lads pursuing their studies under the same tutor, and eventually together entering Magdalen College, Oxford, where they remained for three years, after which SMYTH removed to the Middle Temple as a student of Common Law.

Upon the completion of his studies at the Temple SMYTH returned to the Berkeleys, and in 1596 became Steward of the Household, but exchanged that appointment in the ensuing year for the more dignified and lucrative office of Steward of the Hundred and Liberty of Berkeley. (Mr. J. H. Cooke, in his interesting monograph on "The Berkeley Manuscripts and their Author," in Vol. V. of the Transactions of the Society, has given many particulars of the early life of SMYTH, to which we are indebted for this slight sketch.) At this time SMYTH took up his residence at Nibley, having married Grace, the relict of John Drew, Esq., of that place. She died in 1609 without issue, and he soon afterwards took to his second wife, Mary, the daughter of John Browning, of Cowley, an alliance in which he took no small pride, the lady being descended from Nicholas, second son of Robert Fitz Harding, whose issue assumed the name of Fitz Nichols. By this marriage SMYTH had five sons and three daughters.¹

SMYTH was evidently an able, intelligent, and just Steward, highly valued during his fifty years' service by successive Lords Berkeley. Their confidence in his ability, shrewdness, and tact, was many times exhibited in the very important special family commissions with which he was entrusted; and in proportion as they valued his services were they bountiful in their rewards, which, accompanied by his prudence, enabled him to acquire a considerable estate. Atkins, writing of Nibley, says "GEORGE SMYTH

¹ It seems worthy of a note that, as stated on his monument in Nibley Church, John Smyth, his son and heir, who died in 1692 in the 82nd year of his age, by his two wives had sixteen children, and lived to see seventy and seven persons lawfully descended from his own body, sixteen of the first, fifty and seven of the second, and four of the third generation.

SMYTH, Esq., has two very handsome feats in this parish, near one another, adorned with gardens and groves, and has a large park, well wooded, and a great estate in this and other places."—Hist. Glouc., p. 303.

Nicholas Smyth, the great grandson of this gentleman, married Anna Maria, eldest daughter of Sir Charleton Leighton, of Loton Park, Co. Salop., Bart., by Anna Maria, his first wife, daughter and heir of Richard Mytton, of Halston in the same county, Esq., by Letitia his wife, daughter of Roger and sister and sole heir of Thomas Owen, of Conover Hall, in the same county, Esq., which Letitia, by her will, dated in 1750, devised the Conover Estates to her grand-daughter, the above-mentioned Anna Maria Leighton, in tail male. Mr. Smyth took up his residence at Conover Hall, and was Sheriff of Shropshire in 1772. He left a son, Nicholas Owen Smyth, who succeeded him at Conover, and who, in pursuance of the will of his grandmother, who died in 1755, by Royal licence dated 24 Feb., 1790, assumed the surname and Arms of Owen, in addition to his own; and five daughters, of whom the eldest, Anna Maria Emma, married Edward Pemberton, Esq., and had one son, Edward William Smyth Pemberton, and two daughters. Nicholas Owen Smyth Owen, of Conover, married, but dying without issue in 1804, devised his estates to his nephew, Edward William Smyth Pemberton, above mentioned, who, in compliance with the aforefaid will, assumed the surname of Owen in lieu of that of Pemberton, and the Arms of Owen. He was Sheriff of Shropshire in 1819, and married Charlotte Maria, daughter of John Madock, of Vron Iw, Co. Denbigh, Esq., but died in 1863 without issue, when the estates devolved upon Thomas Cholmondley, Esq., born 1823, son and heir of Charles Cholmondley, Esq., by Caroline Elizabeth Smyth, 3rd daughter of Nicholas Smyth, of Nibley, and Anna Maria Leighton. Mr. Cholmondley, in succeeding to the Conover Estates, assumed the surname of Owen, but dying in 1864 without issue the said estates devolved upon his brother, Reginald Cholmondley, Esq., now of Conover Hall, and the heir general and representative of our author JOHN SMYTH. We have troubled our readers with this descent because Mr. Cholmondley has inherited several
of

of the volumes of SMYTH'S MSS., which are now at Condober Hall, and of which there are no copies at Berkeley Castle. Of these we shall have to speak more particularly hereafter. A table shewing the descent is annexed, compiled, chiefly, from records in the College of Arms, courteously furnished by Stephen I. Tucker, Esq. (Somerfet Herald.)

The volume which we now submit to the Subscribers is of great importance.

Irrespective of public events—the Barons Wars in the reigns of John, Henry III., and Edward II., and attainders, forfeitures, executions and pardons thereupon, with the atrocious murder of the last-named unfortunate monarch in Berkeley Castle, the wars in France, Scotland, and Wales, with the battles, sieges, &c.—there is much of interest and value as reflecting the social condition and manner of life of all classes of the community during the period over which this volume extends. This is illustrated by the liberties, franchises, and customs which obtained in the Boroughs, Manors, &c. The state of agriculture, and the methods of cultivation adopted by the Lords of Berkeley on the extensive demesne lands of their numerous Manors, the greater portion of which they kept under their own hands, and the extreme regularity and minutiae with which the various bailiffs rendered their accounts, is most interesting and instructive. If bailiffs in these days practised such careful economy and rendered their accounts with so much exactness and detail, it would be greatly to the advantage of their lords. The enormous number of cattle, sheep, poultry, &c., bred and brought to account is astonishing. The simplicity of manners and the care and attention devoted to household affairs, especially to the management of the dairy, by that high-born dame, Jone, the wife of Thomas II. Lord Berkeley, and after her death by her daughters, is worthy of notice.

The household establishment of these great lords was very large, consisting of some 300 persons of all grades, from knights to scullery boys

boys, the cost for which in liveries and diet alone was necessarily great (see p. 306.) But there is no more interesting detail than the relative prices of corn, cattle, and poultry during the reigns of the three Edwards. Again we have to notice the foundation of various Monasteries, Priors, and Chantries, and a great number of other matters of interest which it would be too tedious to enumerate.

The author's style is quaint and simple, but its simplicity and strong good sense are not more conspicuous than the tone of genuine piety which pervades the whole work. It has been stated that he was tinged a little by the rising puritanism of the age, but there are passages in his later works which exhibit an entirely different feeling, and instead of shewing him to have been of a morose and ascetic disposition, bear evidence that he was of a cheerful, affectionate, and happy temperament. His remarks in his History of the Hundred of Berkeley (fo 344) on Blu-mead Sunday are worth quoting in illustration of his generous and genial character :—

“ Heere in Stinchcombe, is a parcell of ground called Blu-mead ; from whence wee hundredors in theis parts have amongst vs the name of Blu-mead-Sunday, the second Sunday after the feast of Pentecost, A place, where the younger sort of both sexes accustomed in the afternoone of that day, to meete from the Townships adioyninge, to dance, leape, wrastle, and disport themselves till eveninge, of late years, by meanes of some severe and rigid Catoes exclaiminge against such recreations, quite discontinued. My opinion whereof, and of other like sociable meetings, Churchales, Wakes, Saints feast daies &c. I purposed in this place to have left to you, as a plain legacy of my minde therin : As also I did in the description of Alkington, fo. 30, when I wrote of Ram-mead-Sunday, which is the Sunday next before this of blu-mead : and the rather because I throughout this description have exprest to what Saints each Church was dedicated, and the feast kept ; But nowe through the great length wherto this booke is growne, and of what more I am necessarily to write, I will herein save paper and paines, and refer you, my sonne, (amongst many others) to Mr. Carewes Survey of Cornwall, fol. 68.69 and forwards: And to Mr. Burtons booke of Melancholly . fol. 256. 257 and forwards, in his third edition ; with whom I ioyne in opinion, and subscribe to the Kings Declaraçõn ;
and

and like well in this my decrepid age to walke in foīer time, on Sundaies after Evening praier, with my wife to Hadleis Greene, betweene our two houfes, and there to behold my neighbours childrin and fervants, with yours and mine owne, to runne at Barly-breakes, dance in a ringe, and fuch like sports, as they like beſt : A laudable recreation, which hath noe repugners ſave wayward diſpoſitions, and men of too ſterne a Judgement, as though the text of Solomon where apochriphall, That there is a time for all things."

In editing the volume we have endeavoured to adhere as cloſely as poſſible to the literal text and punctuation of the author. His orthography is, for an educated man of the period, very irregular, and it would not be eaſy or deſirable to reduce it to modern uſage. He gives numerous references in his text to his own folios, both preceding and ſubſequent, and inasmuch as it would not have been practicable to give ſuch references to the printed pages, we have marked the original MS. folios in the margins, ſo that reference may be eaſily made. We have added copious indices to ſubjects and names of perſons and places, but to ſave ſpace only one reference is given to the ſame name on any page, though it may occur ſeveral times, and we have not attempted to individualize thoſe of the Berkeleys bearing the ſame Chriſtian name. Such additions as we have made are encloded in ſquare brackets.

In conſequence, we have to tender our beſt thanks to Edward Peacock, of Botteſford Manor, near Brigg, Eſq., F.S.A., for his courteſy in peruſing the proofs on behalf of Lord Fitz Harding ; to J. H. Cooke, of Berkeley, Eſq., F.S.A., for his kindneſs in collating the text of the MS. with that of the volumes preſented to George Lord Berkeley by Smyth himſelf, which are now at Berkeley Caſtle ; to Stephen I. Tucker, Eſq. (Somerſet Herald) for the elaborate pedigree of Smyth ; to Mr. J. A. C. Vincent for the extreme accuracy and clearneſs with which he has made the tranſcript ; and to the printer, for the great care he has taken in the execution of his portion of the work.

J. M.

A relation of the linees of the Lord Berkeleys of Berkeley Castle
in the County of Gloucester

DECLARINGE THEIR SEUERALL ACTS, TITLES, SIRNAMES, MATCHES, ISSUES,
PURCHASES, SALES, DONATIONS, SUITES IN LAWE, FORRAIGNE EMPLOYMENTS IN WARRES
AND EMBASSES, AND DOMESTICALL IN CUIILL AFFAIRES AT HOME, THE MANNER
OF THEIR DEATHS, AND PLACES OF BURIALL, WITH THEIR ARMES, SEALES,
ATCHIUEMENTS OF HONOR, EMBLEMES AND EPITAPHES,
WITH SUCH OTHER MEMORABLE OCCURRANCES, AS HAUE BEFALLEN THAT ANTIENT AND
HONORABLE FAMILY IN THE VARIOUS MOTIONS AND ACCIDENTS THEREOF, FROM
THE YEARE OF CHRISTS INCARNATION : 1066 : THE FIRST OF THE RAIGNE OF
KING WILLIAM CALLED THE CONQUEROR, UNTILL THE YEARE : 1618 :
THE SIXTEENTH OF THE RAIGNE OF KING IAMES OF ENGLAND.
&c. AND OF SCOTLAND THE ONE AND FIFTIETH

WITH A DESCRIPTION OF THE HUNDRED OF BERKELEY, AND OF THE INHIABITANTS
THEREOF IN THE SAID COUNTY OF GLOUCESTER,

COLLECTED AND DISPOSED
BY THE ENDEAVORS OF

Iohn : Smith

To the memory of the most Antient and honorable family of the

Berkeleys of Berkeley Castle

in the Countie of Gloucester, The oblation of a Servants myte and duty.

THE Custome of those who write histories, is to propose in the beginning a modell of the subiect they meane to handle: **Whine** is, of noble men and noble mindes, whom I will not celebrate aboue the merit: **Stand** or stoope they shall unto themselves: **Labor** I will through all the monthes of . 550 . yeares to reflect to this family, the image of it selfe, in all or the most remarkeable actions and accidents, changes and chances, which in the raignes of 24 princes of this **English** monarchy have fallen upon the discendants thereof.

Ambitiously Ile take a taske in hand,
Whose greatnes with my weaknes cannot stand :
Ile walke a wayles way, with untrod pace,
Which yet noe former man with foot did trace,
Ile travell where noe path is to bee seene,
Of any humane stepp that there hath beene,

Ile strive to tell that noble family in generall, **And** particularly that matchles Lady mother, the noble Lord George her sonne, and his

virtuous sifter the Lady Theophila, (all the frutes which the last uintage
of their parents hath Left ripened from posterity, That,

 Their race was not of yesterday or lately brought to passe,
 Of old it was, And know they shall, whence it's begininge was.

 Present them I will with my gleanings of forty yeares vacant houres,
 howe unboundfocuer those handfulls bee, gathered out of the vast feilds
 of their evidences, the Kings feuerall Courts, Defolated Monasteries,
 the priuate stores of more then fowerfcore men, with an hundred other
 manuscripts & chartularies.

 Sound warranties, for this my worke and mee,
 To bring them truth fetcht from antiquitee,
 Whereby their lives from stroke of death feeme free
 And they as borne of immortaltee : |

It begg noe further fauor or protection, then as upright and fayth-
 full writinge shall deferue, In a playne and home-bred stile cleere from
 passion or partiallity, Ile freely write the truth I know, And beginne my
 story thus :

The Life of Harding

The life of Harding sonne to the King of Denmarke, the first Ancestor or ~~Stock~~^{father} of this noble family of the Berkeleys, stiled in writings HERD, HERDIG, HARDINE, HERDINE, but most usually HERDING, HARDINGUS, and HARDING, which Last I wish to bee obserued. AND may bee called HARDING the Dane. **Contemporary** with William the Conqueror, Wittm Rufus, and King Henry the first, from the yeare: 1066: to the yeare: 1115.

Domesday booke.
Chron-Iherusal :
diuersæ cartæ in
Castro de Berkeley
Aug : pedeg : per
Newland Vetus
manuscript in
Castr: de Berkelet:
et alij.

KINGE EDWARD, furnamed the Confessor, being dead without issue, in January, 1066 The Crowne was taken up by Duke Harrold, sonne to Earle Goodwyn: whereof scarce possessed, before Wittm Duke of Normandy vrged a resignation, Howbeit, Crownes once assumed, are not accustomed to bee layde downe by papers or parly: The Sword (that prince of weapons) must bee Arbitrator betweene theis potent Competitors, The Dukes preparations for inuasion are quicke and gréate, fame inlargeth their greatnes, from Normandy it flyeth into Denmarke, from thence (as from the Courts of other princes) it draweth the boldest of martiall spirits, And to the **rendebous** of Duke Wittm, hasteth Harding, a yonger sonne of the King of Denmarke ~~Duke~~ Wittm loytereth not, for upon the xxviiijth day of September following, Anno. 1067.¹ hee with his Army landeth at Pevensey in Suffex, And upon the xiiijth of the next month striketh a blouddy battle with King Harrold, where hee, with more than 60000 of his people, fell: whereby perished the royall blood of the Saxon Kings.

Anno. 1067

William, from a Duke of Normandy, by the successe of this battle (howfoeuer miserably lost, yet most nobly fought) is become Kinge of England, And as an Augment of his honor, is by posterity called the Conqueror, whom as a Conqueror of Harrold, a valiant Kinge and Captayne I heere leave, accompanied with

¹ This date would seem to be a Clerical error. The battle of Senlac was fought on 14th October, 1066.

with **Harding** a partaker of this fortune, with my hopes in the god of Hostes, the giver of this victory. That as a royall succession from the loynes of the Conqueror, And an honorable posterity from this Harding, haue already continewed 550. yeares, Soe the lastinge dayes of both may bee whilest the two great lights of Heaven have their movings : **And** returne, to write of Harding, who cast of
 6 his thoughts of home-returne, and after three yeares settled at Bristowe. |

In Berkeley
 Castle.

A larger relation whereof, read out of an antient Manuscript, translated out of Latin into English in the fifth yeare of King Henry the Seauenth by John Newland then Abbot of y^e Monastery of S^t Augustines by Bristowe afore-sayd in his owne wordes.

Created Marques
 Berkeley
 in 3. H : 7.

I **John** Newland Abbot of the Monastery of S^t Augustines by Bristowe afore-sayd, for my more larger knowledge, and informaçon of my bretheren, Channons, present and for ever after to come, have taken vpon me to put into writing, the lineall and true descent of S^r Robertt f^{iz} Herding, the sone and eire of Herding, which Herding was the sonne of the King of Denmarke, which Robertt afore-sayd was first created lord of Berkeley, and soe lineally from him, I shall continew unto william now Marques Berkeley from whom and all others of his noble Ancestors, who ben bound spetially to pray : And or that I shall begin this said noble p^etegre; first I shall declare how the sayd Robert f^{iz} Herding was first made lord of the Baroney of Berkeley, And shall expresse followingly certaine conventions made atwixt S^r Robert f^{iz} Herding, And S^r Roger of Berkeley lord and Baron of Durfeley.

King Harri the first, the third sonne of Kinge William Conqueror, had issue remayning one daughter named Maude, which was first marryed unto the Emperor of Almayne, And where all the other children of the sayd Kinge Henry lawfully begotten were drowned in the See coming out of Normandy, and had none other heire ; the sayd Kinge Harry send for his fore-sayd daughter Mawde the Emparice into England, And in open Parliament declared and ordeyned her to bee his eire : To whom then and there were sworn all the lordes of England, and made unto her sewte, admittinge her for his eire : Amongst whom principally and first was sworn Stephen Earle of Boleyn nevowe of y^e sayde Kinge Harry the first : This soe done the sayde Mawde the Emparice was after maryed to Galfride Plantagenet Earle of Angewe, which begate of her one sonne which was named Harry, which after was named Kinge Harrye the Second, But sone after that King Harry the
 First

First was diseafed, the foresaid Steven Earle of Bolein, prefumed and vsurped the Crowne, and was made Kinge contrary to his oath and promise made unto y^e foresayd Mawde the Emperyce, But when then after | Harry the sonne and eire 7 of y^e sayde Mawde the Emperyce, And also the sayd Galfride Earle of Angewe was growen unto manis estate, hee with his sayd Moder Mawde, with a smale power came over into England and claymed their right and heneritance in the fifth yeare of the raigne of the sayd King Steven, And foe continued greate discorde and bataill atwixt them by the space of twoe yeares, And in the vijth yeare of the raigne of the sayd King Steuen, there was a batle made at Lyncolne at Candlemas, where the sayd Kinge Steven was taken by the Earle of Chester, And fro thence was brought to Bristowe to the sayd Mawde the Emperice, and to her sone and eire Harry, where then thi were in this wise agreid and finally accorded, That the sayd Steven should regne kynge during his life, And he that overlyveth other of the sayd Steven or Harry should heneritt the Relme and Crowne, And foe the sayd Harry overlived Kinge Steven, And then after was Crowned King of England, and named Kinge Harry the second, unto whome in his first entree and werres, the foresayde S^r Robert fīz Herding gaue and lende grete Substance of goods to the suppartation and maintenance of his werrs **And** when this Harry had obtayned his right, he remembred the grete kyndnes and benefites of, the sayd S^r Robertt fīz Herding, And gaue unto him and to his eires foreuer, the Barony of Berkeley which Barony Roger of Berkeley Baron of Durfely helde of y^e kinge in fee farme : And for foe much, the sayd Kinge Harry the second toke fro the sayd Roger, bothe the Barony of Durfeley, and also the Barony of Berkeley, forasmuch as he toke partie with King Steven ayenst King Harry, And also forasmuch as hee refused to pay the fee farme of the Barony of Berkeley vnto the sayd King Harry **But** then after the sayd King Harry entretid by the noble Lordes of his Realme, gave againe unto the sayd Roger, the Barony of Durfeley as his owne heneritance, And the Barony of Berkeley he gave and confirmed unto the sayd S^r Robertt fīz Herding and his heires for ever in recompence of his grete costes and kindnes **And** when after this S^r Robertt fīz Herding was lord and Baron of Berkeley, The sayd Roger lord and Baron of Durfeley vexed and trobled with him foe greuously, That he came unto the sayd King Harry and prayde him to resume his geste againe, But then after the sayd King Harry made a peace and a finall concorde atwixt the sayd Roger and Robert, foe that the sayd Roger and Robert shulde geue his daughter Alice to wife unto Morice the sonne and eire of S^r Robert fīz Herding with the Towne of Slimebrigg vnder certeine conditions as followingly shall appere.

Covenants

- 8 **This** bin the Covenants that were made atwixe S^r Robertt f^{iz} Herding | Lord and Baron of Berkeley, And S^r Roger of Berkeley lord and Baron of Durfeley And in the Houfe of S^r Robertt f^{iz} Herding at Bristowe, And in the prefence of King Steven, and of Harry then Duke of Normandy and Earle of Angewe, and by his affent, And in prefence of many others both Clarkes and laymen **Morice** the sonne and eire of S^r Robertt f^{iz} Herding shall take to his wife Alice the daughter of Roger of Berkeley Baron of Durfley, And the fayd Roger hath geven to the fayd Morice in mariage with his fayd Daughter, Slimebrigge, which is of his heneritance, that is to wete, Ten pownds worth of land, **And** this Morice with the consent of S^r Robertt his fader hath geven unto the daughter of Roger that hee shall take to wife for her dower, twenty pound of land of the ffee of Berkeley bi the assent of the foresaid Lord Duke Harry, And vnder this Conditions and Covenants, **That** if foe Morice the sonne and eire of S^r Robert f^{iz} Herding shall happen to decefe ere he shall wedde the daughter of the fayd Roger, That then his next brother and eire shall take the fayd Alice to his wife accordinge to all the forefayd conventions, **And** if foe the second sone of the fayd S^r Robert f^{iz} Herding shall happen to decefe before hee shall wedde the daughter of the fayde S^r Roger, That then, whosoeuer of the sonnes of the fayd S^r Robert f^{iz} Herding shall remayne to bee his heire, shall take to wife the daughter of the fayd S^r Roger, **And** of likewise if the elder daugh^t of the fayd S^r Roger shall fortune to decefe afore that thee be wedded to Morice the son and eire of S^r Robert f^{iz} Herding or to any other of his bretheren that shall remayne eire after him, That then the elder daughter leving & remayning of the fayd Roger, shall geve to wife vnto the son of S^r Robertt f^{iz} Herdinge which levieth and shall remayne his eire.

- Furthermore** the son and eire of Roger of Berkeley Baron of Durfeley shall take to wife in like forme, one of the daughters of S^r Robertt f^{iz} Herding, And the fayd Roger shall geue in mariage to the daughter of S^r Robert f^{iz} Herding for her dowery the Maner of Sifton by Bristowe the which Maner is of the heneritance of the fayd Roger, **And** S^r Robert f^{iz} Herding shall giue in mariage with his daughter to the son of the said Roger, ten pounds and ten shillings-worth of land at Durfeley **And** with this condition, That if on of y^e daughters of S^r Robertt f^{iz} Herding deceffe afore thee be wedded to the sonn & eire of the fayd Roger, That then the other daughter of the fayd S^r Robertt f^{iz} Herding shall be geuen wife unto him, **And** if it foe shall fortune, That both the daughters of
- 9 S^r Robert f^{iz} Herding deceffe afore | eny of them shall bee maryed to the son and heire of the fayd Roger, That then his eyre shall take to wife the daughter of

Hew

Hew of Hafele nece to the sayd S^r Robert fīz Herding, **Of likewise**, if the first gotten son and eyre of Roger of Berkeley Baron of Durfeley deceffe afore that hee marry with eny of y^e daughters of S^r Robert fīz Herding, or of the sayd Hew of Hafele, Then that brother that shall remayne to be eyre of the sayd Roger, shall take to wife on of the daughters of the sayd S^r Robert fīz Herding **And** if they decefe all, or that any of them shalbe maryed, That then the eyre of y^e sayd Roger shall take to his wife the daughter of the sayd Hew of Hafele nece of the sayd S^r Robert fīz Herding according unto all the forefayd Couenants, **And** all thes forefayd Couenants have fworen saythfully to hold kepe & performe, without any fraude or deceite, the forefayd S^r Robert Fitz Herding and Roger of Berkeley Baron of Durfeley, And thei have putt Hary Duke of Normandy aforefaid for plegge and for iuge atwixe them: **To theis** covenants wele and truly to be obserued, have fworen also viij noble men of y^e party of S^r Robert fīz Herding, And also other viij noble men of the party of the sayde Roger, whose names ben thes of the party of the sayd Roger: Witthm the son of Duke Harry of Normandy aforefayd, Roger of Schay, Rafe of Juley, Walbernye, Engewald of Gofynton, Guydo of Stone, Gwayfere of Planca, and Hew of Planca his brother: **And** of the party of S^r Robt Fīz Herding thes ben the namis, Hew of Hafelee, Nigelle fīz Arthure, Robert of S^r Maryes, Elias the brother of S^r Robert fīz Herding, and Jordane his brother Jurdaine le faire, Richard fīz Robertt and David Duncépouche. **And** thef forefayd men with all their strength shall holde and kepe the forefayd S^r Robert fīz Herding and Roger in all thes forefayd Covenant^l truly to be obserued, That if, foe the forefaid Robert and Roger would goe from the forefaid covenants, thei should constraine them with all their power and might, to holde and kepe them, And if they would at anye time dissent, thes forefayd Noble men of their service and love shall reduce them unto, **And** for thes covenants aforefaid wreten, the forefayd Roger of Berkeley Baron of Durfeley hath released and quiete claymed all manner of challenge and right that he had in the fee ferme of y^e Barony of Berkeley.

See after fol : 41
170

Thus the Abbot

In reciting theife authentike covenants (taken almost verbatim out of the manuscript Cronicle of Robert de Ricarte Towne clarke of Bristoll, | written in the tyme of Edward the fourth) I have rather chosē to expresse them in the Abbots owne manner of writinge, then to haue translated them out of the latin Deed it felfe, which yet remayneth under seale, testified (to the honor of y^{is} house) to bee an inestimable peece of evidence by the Judges of the Comon pleas in the nyne and thirtieth yeare of Queene Elizabeth, At what time it was given in evidence to

a

IO
Robt de Ricart
cū Maiore Brist :
fol : 44.
Camd : Soc : Ed :
p. 22 Ed.
Carta in Castro
de Berkeley
Hillar : Term : 39
Eliz : rot 327. in
banco

See after. fol: 88. a Jury then at barre upon a triall in a writt of particion brought by Anne the widowe of Ambrose Dudley Earle of warwicke against Henry Lord Berkeley for the third part of the said Manor of Slimbridge mentioned in the said Deed, which hath the Seale hanging in a filke stringe in the top, and the Indented part downwards, after the fashion of Indentures of fines at this day.

Newl: Pedeg: in Castro de Berkley The foresaid manuscript or pedegree of Abbot Newland layeth downe an other kinde of cause and manner of cominge of this Harding into England somewhat varyeing from the former relation, in theis wordes.

The kinge of Denmarke had a second sone named Harding, which he send unto William Conqueror unto whom this king withm Conqueror gaue grete riches, and send him to Bristow there to inhabite, the yeare of our lord 1069 The cause of his comynge into this lande of England was this, as hit is written in Policronicon; There was sometye an ordinance made in Denemarke, That if foe the king of that land had any more sonnns then on, Then shulde the eldest sonne and eire remaine within the land, And the younger bretheren shuld be send with a substance of goodis into other landes, and there to leve in evoyding all inconveniences of debatis that might chance atwixe them within theire owne lande. And for this cause this Harding a second sonne of the King of Denmarke was send into this land, as it is afore written.

Thus the Abbot.

Robt Cotton miles et Barronet. Camden Vincent, et alij In conference with diuers lerned gentlemen studious in antiquities of this kind, some of them have doubted whether it might substantially bee proued, that this Harding was the sonne of any king of Denmarke, they supposing, this regall progeny to bee the flattery of the Abbots of the Monastery, And this Abbot Newland the first in this collection of his, that avowed the same in Flattery of Anno: 1489. William Lord Berkeley created Marques Berkeley the yere before, being his founders heire male. |

Campd: English fo: 238. 1. For satisfyinge of which doubt, I am only inabled to say, That there is (besides what's before written) an antient marmoriall inscription ingraven over the gate of this Monastery in theis wordes **fix** Henricus secundus et dominus Robertus filius Hardingi filij Regis Daciæ, huius monasterij primi fundatores extiterunt, That is King Henry the second and Lord Robert the sonne of Harding the King of Denmarks sonne, were the first founders of this Monastery.

Campd: fo: 239. in English. 2. Campden himselfe in his Britania (nowe Clarencieux) fayeth, That this Robert called by the Normans fitz Harding, discended of y^e bloud royall of Denmarke.

In

3. **In** Berkeley Castle is an old Latin Pedegree, made (as it selfe sheweth) in the tyme of Henry the vjth before the sayd Marques Berkeley was borne, containinge the effect of Abbot Newlands pedegree, **The** title whereof is, Proceffus pro notitia habenda &c. A declaration how Robert the sonne of Harding was made Lord of Berkeley, as appeares in an old writinge preferued in the euidence houle of y^e Monastery of S^t Auguſtines by Bristowe, And beginneth thus, **Hardingus** ex regia profapia regni Daciæ oriundus, tempore &c. Harding discended of y^e royall bloud of y^e Kingdome of Denmarke, in the tyme of Witſm the Conqueror inhabited at Bristowe, To whome the Conqueror gaue grete riches in the yeare 1069. And ſoe proceedeth.

Vetus Manuſcr :
in Caſtr de
Berkel :

4. **To** which effect alſo in an other like collection in leather, ſomewhat more antient then the former, which is in velam.

Vetus manuſcr :
ibm.

5. **And** further in the ſame Caſtle, there is a more antient manuſcript (the laſt lines whereof, as by it appeares, were written in January. 1351, being the xxvjth yeare of King Edward the third, which ſayeth, That this Harding was, ex regia profapia regum Daciæ, of the bloud royall of the kinges of Denmarke : And this was. 138. yeares before Abbot Newlands pedegree, And now. 270. yeares paſt, And ſeemes to haue bene the worke of that great learned man Venerable Treviſa vicar of Berkeley, Of whoſe life and labors read after in the life of Thomas Lord Berkeley the third of that name.

Vetus manuſcr :
ibm.

6. **Alſo** Robertt de Ricart ſometyme Towne clarke of Bristowe in his manuſcript regiſter of the memorialls of that Citty, who flouriſhed in y^e tymes of King Henry the ſixt, and of King Edward the fourth, expreſſly affirmeth this Harding to bee ſonne to the King of Denmarke. |

Regiſtr : Robti
de Ricart cum
Maiore Briſtoll :

12

[7.] **Alſo** Biſhop Godwin in the Catalogue of the Biſhops of Briſtoll hath thus, **Robertt** ſurnamed fitz Harding, becauſe his father, that was ſonne to the King of Denmarke, was called Harding, This Robert being a Citizen of Briſtoll and ſometymes Maior there, founded the Monastery of S^t Auguſtines neere unto the ſayd Citty and placed Canons in the ſame, Anno. 1148. being the xiiijth of the raigne of King Stephen, **This** foundaçon was afterwards confirmed and augmented by King Henry the ſecond, whoe ſoe greatly favoured the auſthor of the ſame, as hee preferred him to the marriage of the daughter & ſole heire of the lord Berkeley, of whom are deſcended all the lord Berkeleys ſince that time, And many

Godwin, fol : 500
printed in Engliſh
1615.

of

of them as challenging an interest in that foundation of their Ancestors, have chosen the Church there for the place of their buriall :

Camden, fo: 132.

133 impres:

1587.

Brooke, fol:

Thus the Bishop, **Wherein** let me note, That the Bishops error in y^e foresaid marriage, seemes occasioned by Camdens mistake in the first edition of his Britannia, which in his second hee reformed, after Brooke yorke-herald had bitterly taxed him for makeinge the father to marry his sonnes wife. **I Wish** this also might see bee in the next reprinting of this Catalogue of y^e Bishops.

Slow, fol: 207.

8. **Also** industrious Stowe in his Cronicle printed in Anno. 1592 hath thus, **This** yeare 1148. in the xiiith of the raigne of Kinge Stephen, Robert fitz Harding sometymes Maior of Bristol, whose father was Kinge of Denmarke, founded &c.

How fo: 146.

And How hath thus, Robert fitz Harding sometimes Maior of Bristol whose father was a Dane, having founded the Monastery of S^t Augustines in the Towne of Bristol this yeare. 1148 placed Canons there, which foundation was after confirmed by King Henry the second: which also is avowed by many other moderne historiographers: **And** it hath in all ages bene received both in this family and in the transcripts of Heralds, as an unquestionable tradition of truth: **But** for writings more antient then theis, averring the lineage of this Harding, I haue not hitherto met with any, though I haue searched many manuscripts, and all the antient recordes in euery of y^e kings Courts. **Neither** haue I found what kings sonne, or ex qua profapia, from what parentage, or from whose loynes, this Harding was, **But** by probable coniectures hee was the sonne of Harold, or Hard-cinty, for patrimonically wordes deriued from the father, with the English Saxons and Danes, end in **ing**: As Penda, Pending, Harold, Harolding, Hardi, Harding, and many the like in theis old tymes: **In** like fence, as from Ducke, wee derive Duckling, from Goose, Goslinge, from Cat, Kitlinge, from Browne, **13** Browning, from ffeild, ffeilding, from Dunn, Dunning, | from Bill, Billing, and from Home, Homeling, a naturall Inhabitant, And many other the like, **The** probability whereof, though it see not cast into the chanon of the text, yet may it see bound vp next after y^e Apocripha of the Bible.

Stow, in How

fo: 109. et al:

As for that valiant Ednothus, of a noble and antient family amongst the Saxons, Masters of the Horfe to King Harold, of whose famous memory is honorable mention in diuers authors in the raignes of King Edward the Confessor, and of Wiltm Conqueror, as being (they say a man Excellent in the tyme of y^e

Englishmen

Englishmen, both at home in his owne Country and also abroad, And was father of Harding, who liued in the tyme of King Henry the second, I leave him that will leane that way thus further informed. **That** the wife of that Ednothus was daughter or necce to the Kinge of Denmarke, And that Harding his sonne, was enriched by the Conqueror for the great Service his father did to him, in whose defence, and of his new gotten Kingdome of England, Hee in the second of his raigne, by his owne death, obtayned the Victory in a bloudy battle against Godwin, and Edmund, furnamed the great, sonnes to King Harold.

Of which Hardingus thus also writeth Robt de Glouc: in his old manuscript of the life of this Wittm Conqueror. **But** at last, they of King Wittms pt had the Victory; but that many of them nathes were slay [n], and her Cheeftayne also Ednod, Hardings fader, that better coude wehette luther tonges, to strife and chidig, thanne in battaill wepene yweld.

Manuscr: Robt
de Glouc: in Vita
Wittmi conquest:

Neither am I certaine, whether that which is written in y^e Chronicle of Jherusalem, bee of the one or other Harding, where the wordes are theis Interea dum hæc obsidio ageretur &c. whilest the Saracens contynued their seige against Joppa two hundred faile of Christian Shippes arriued at Joppa that they might performe their deuotions at Jherusalem, The cheife men and leaders of theis Christians are reported to have bene, Bernard Witrazh of the land of Galatia, Hardine of England, &c. This Christiã power through gods spetiall power, arrived there for the Succor & releife of the destressed and beseidged Christians in Joppa, the third day of July 1102. and in the second yeare of Baldwine King of Jherusalem, whereupon the multitude of the Sarazens seeing that the Christian power ioyned themselves boldly clofe by them, even face to face in a lodging hard by them, the very next night at midnight removed their Tents, and pitched them more then a mile of, that they might the next morninge be aduised whether they should returne to Ascalon, or by often assalts vex the Citizens of Japhet.

Chron: Jherusa:
lib: 9: cap: 11.

Anno: 2. H: 1.
Regis Angliæ.

Yet notwithstandinge after the sayd third daye of July, the Sarazens | persisted high mynded and insolent by reason of their great multitude, and much annoyed the Christian people with their many forcible & terrible weapons, whereupon on the sixth day of y^e sayd July early in y^e morninge King Baldwine issued out of Japhet, his trumpets and Cornets yealding a great and loud sound, And with a very strong Army aswell of Horfmen as of footemen, who on every side making greate shouts and outcries, with fierce and sharpe battle, set upon the mayne

14
Eod: lib: 9: cap:
12.
Hæcl: voyages
2 volū: fo: 12. 13.

power of theire Enemyes: The Christians also who arrived in the Navy, rearing great clamors and noyses, with loud voyces and showtings in horrible wise, together with King Baldwin assaulted likewise with stronge battle, the Babilonians, and afflicted them with most fore and deadly wounds, vntell the Sarazens being wearied with feightinge, nor able longer to endure, or hold out against the valor of the Christians, fled towards Ascalon, And other of them hoping to escape from them that pursued them, leapt into the Sea, and were swallowed up in the waues thereof, And soe the Citty of Joppa with the Inhabitants thereof, were freed from theire Enemyes: There were slayne this day 3000 Sarazens, And but a few of the Christians perished.

Chron: Jher: lib*

10 in principio:

Hackl: fo: 15.

And if I coniecture not amisse, this Harding went againe to Joppa in the holy land, in that second fleete, six yeares after, And thence to Jherusalem, whose readines for the seidge of Sidon at̃s Sagitta, hath honorable mentiō in the histories of those tymes.

Neither will I speake against the probable obiection of those, That observe the names of this Hardings eldest sonnes to bee written, both by Kings, Dukes and Subiects, in the eldest Charters, Deedes, recordes, and pipe rolls that are extant, thus: Robertus filius Hardingi: **And** his sonne, Mauritius filius Roberti, filij Hardingi: **And** his sonne, Robtus filius Mauritij, filij Robti filij Hardingi **And** soe in like manner also for the yonger sonnes and daughters of this Harding, and of Robt sonne of Harding **As** Nicholaus filius Hardingi, Elias filius Hardingi, And Matilda filia Hardingi, yonger sonnes and daughter of this Harding.

Rot pipæ. 5. et.

14. H: 2

Rot: pipæ 7. R I

Glouc:

And Robertus filius Robti, filij Hardingi **And** Nicholaus filius Robti, filij Hardingi: And his sonne Rogerus, filius Nicholai, filij Roberti, filij Hardingi: And soe euer restinge vpon this Harding, As though noe Ancestor of theirs, had bene more remarkeable in their generation, nor any superior or more eminently honorable then this Harding, drawing downe their descents in semblable manner to the fourth generatiō **But** the sayd **Robert** in none of his Deeds, of Kinge
 15 Henry | the first, or of Stephen, or of Henry the second theire tymes, neither in his Seales of those tymes, nor his sonne Maurice in the tymes of. H: 2. or of R: 1. or in his Seales of those tymes; nor any of theire younger sonnes or daughters, are ever found to have remembred the name of the Father of this Harding **For** this Harding himselfe to have ever mentioned himselfe (or any other for him) to have bene a Kings sonne **Neither** (as they obiect) can any notice be had, from the

the booke of Domefdei, or from any other record or History printed or manuscript, in prose or verse in any language, any other certaine intimation (duringe eight kings raignes after the Conquest) who should bee the father of this Harding, other then that great and noble Saxon, Ednothus: concluding upon those and the like instances, That if this Harding had bene the sonne of a Kinge, that neither himselfe, nor his sonne Robert, nor his Grandchilde Maurice, nor their issues, havinge soe many iust causes in soe many donations and endowments of Churches, and collegiate places, And in advancem' of themselves in marriage, and otherwise, would haue omitted (or rather reiected) the honorable memory of a regall Ancestor, soe neer to them as a kinge or a kinges sonne: **And** urge further, That in all the Charters and grant's which Henry the second made to the said Robert, either whilest he was Duke, his play fellowe and familiar companion, And then both he and Mawd the Empres his Mother, greatly beholdinge to his purse; or whilest he was Kinge, and of whom (as many authors haue) the sayd Robert was entirely beloued, Hee in any of them, ever vsed anye other Style or appellation of him, then Robertus filius Hardingi, whereas (say they) if hee had bene a Kings sonne, he would not haue omitted that hoñble addition, espetially when hee intended to honor him: **And** to that superscription over the gate of S^t Augustines monastery formerly mentioned, which stileth him, Robertus filius Hardingi filij Regis Dacie, they answere, That the character and shape of the letter wherein the same is ingraven sheweth playnly (as also the stone it selfe) That it was sett upp and written about the tyme of Henry the sixth at soonest, vpon the reedifyinge of that gate **And** lastly they doe obiect, That Abbot Newland hath falsly alleadged Policronicon for the Ordinance of Denmarke from whence hee drawes the cause of this Hardings cominge into England, which (say they) is not found either in the latin Originall Manuscript, compiled by Ranulph a Monke of Chester in the xxxjth of Edward the third. Anno. 1357. Nor in Trevisa vicar of Berkeley his translation, dedicated to Thomas Lord Berkeley in the same yeare, **Nor** in wiken de woord, Nor in Caxtons suplement, who in the tenth of Henry the Seaventh in a new edition, somewhat mollified the old English of Trevisa **Nor** in any other **Wherupon** they inferre, That | noe such yonger sonne of any Kinge of Denmarke was sent into

Newl: ped: faith
it was redified by
Wilm Hunt the
19th Abbot elect
17. Sept., and ruled
8 yeares and died
14. Marcij 1481.
21. E: 4:

Trevisa in proemio

16

¹ In the fair tranfcript of this MS. prefented by Smyth to George Lord Berkeley, the following lines are here interpolated:—"And to give more life to their coniectures they shewe the Deeds of King "Edward the Confessor made to the Abbot of Waltham in Anno 1062, five yeares before the Norman "Conquest, whereto Hardingus is a witnefs with Eadgida that Kinges wife." The words in this fair Copy are all extended and there are many literal and verbal differences of no importance which it has not been confidered defirable to follow. [Ed.]

Vetus manuscript
in Castro de
Berkley

England at all: **Neither** (say they) did those hostile tymes betwene the Nations of England and Denmarke, then broyled in warrs, as histories shewe, permit such trust and frendship **And** consequently they conclude, That sith noe other record, History, or Deed, is extant or to bee found, to warrant the Abbotts affirmation herein, That therefore it is a meere fiction, either of this, or some other flatteringe Abbot, to pallyate and comply with their founders, whereof the Lord William Barkeley was then newly created Marques Barkeley **And** because in their relations the name of this Abbot Newland is often mentioned, vpon whose credit also the fidelitie of the first Entrance of this family into this Kingdome seemeth to depend, espetially for the regall parentage of this harding, I will, by a pardonable digression, thus inlarge him: That hee was chosen Abbot the sixt of Aprill. 1481. being the xxjth yeare of King Edward the 4th And ruled his Monastery thirty fower yeares, And dyed the second daye of June 1515 being the seaventh yeare of King Henry the Eighth, And that during his gou'm.^t of that Monastery hee built five of y^e eight Tyth barnes in y^e parish of Berkeley, and two other great Tyth Barnes in the parish of Athelworth, And new built the two Mannor houses of Almondsbury, and Horefeild, and many other great Acts in buildings, repayingr of Chancells &c. And also new built the Dortor, and frator, and the Pryors lodgings, and the gatehouse and the Amery with the lodgings adioyninge, And many other greate buildinges, for the which (sayth this antient manuscript roll) God rewarde him with eternall blisse: Amen. which Roll containeth also the names of all the Mayors, Sheriffs, and Baylyes, that had bin in Bristoll, as they succeded other: As also of all the Abbotts of that Monasterye from the first foundation thereof, And doubtles now at the reedifying of the sayd Gatehouse was the sayd inscription of new sett up, but whether in the old, or not, let those tell that can, I cannot. **To Which** obiections I leave to repley, Takeing it as one of myne ill haps, That amongst more then 200. Deedes, histories and Records of those kinges tymes, I could not meete with any to cleere this doubt. Intendinge my selfe (notwithstandinge the former coniectures) to hold the old tradition of this family, That harding should bee the sonne of a kinge of Denmarke **And** I haue euer refelled theis and other their
 17 like inferences and coniectures, which labored to | make the foresaid Ednothus father of my Harding, (though a more noble roote from whence to bee descended, cannot in Saxon race be easily found) with this reply: That from Ednothus death in the second of y^e Conqueror, till the death of Robert eldest sonne of this Harding in the xvij.th of Henry the second, are more then. 102. yeares, whereby in noe probability hee can bee his sonne, soe long to have outlived his father,

as

as some would make him, nor well his Grandchild, as others would haue him; espetially when Ednothus himselfe was farr stricken in yeares when hee was slayne in the second yeare of Withm the Conqueror, And Harding his sonne man growne in the dayes of the Conqueror. And therefore, neither, my Harding, nor Robert fitz Harding, not Ednothus sonne, nor alyve in Henry the seconds tyme, but happely another of the same name and alliance, **And** verified herein seems to bee the old Tenet, That the heades of great houfes are often found as vncertaine, as the beginnyngs of great rivers; or as the first founders of Cities,

Some small labor I lost in searchinge after the line of Squantiber the first, Prince of Vandalls, Slavony, Duke of Pomerand, and Stetin, one of y^e prime Progenitors and rootes of the royall house of Denmarke, whoe lived in tyme proportionable to bee father to this Harding, And dyed in the yeare of Christ, 1107. the first of the raigne of Henrye the first of England, the Conquerors sonne, But not being stored with fittinge materialls, I was inforced to leaue the certainty of that pticular, to the number of those, I could not attayne vnto.

But if a more happy eie than mine shall finde out the Kinge, father of this our Harding, then may the ascent of this Berkeleyan race bee made in the male line, out of the approued histories of those Northerne Countries of Denmarke, Sweden, and Norway, vnto Dan, whoe lived longe before the tyme of Christ Jhesus | incarnation, who being Lord of Denmarke, gave his name, as 18 some haue written, to the wholl Country, whereby may bee treblye enobled, what I have but weakly set vpon. **And** to incite unto that desired labor, let this family assure it selfe, I have not foe reaped my fields, but that I have left many rich eares to gather, wherein diligence and curiosity may bee exercised, And a studious hand filled with my omiffions, havinge in my course Imitated that Master that may bee said, to teach well, though hee teach not at all,

Boni venatoris est, aliquid capere, non omnia, Hee is held a good Huntf-man that can catch some game, though not all, (*See note A page 19.*)

His Armes

Neither is it perfectly knowne what the Armes of this Harding were but over the Vestry doore in S^t Augustines Monasterye founded by his sonne (the truest library of their honor) are foure Eschocheons standing quarterly, The first and third w.th Cheurons onely rather thought his, then the blue lyons **Or** as others

others will, Gules, three danish Axes, ore : **As** for any Deed vnder Seale I suppose, None remayneth to give further satisfaction to this family **Holbeite** Roger Kemis of Wickwick sometymes Receiv^r generall to Henry Lord Berkeley A gentleman greatly delighted in searches of that kinde, hath left among his broken collections, to have seene a Deede of this Harding (not telling where) sealed with a great Seale, hauing the figure of two lyons indorfed, but not in Eschocheon :
 fol: 20. but hee was deceived as after is declared

Lingua file, non est ultra narrabile quicquam.

Tongue hold thy peace, tyme hath destroyed, what should
 More of the regall race of this great lord bene told.

19
 Stow
 Newland :
 Old Manuscript
 Campden
 Robt de Ricart
 et alij :

This Harding hauing set'led himselfe in Baldwinstreet in Bristow, The Conqueror conferred upon him the gouern^t of that Towne, | which he held by the name of Patricius, Maior, Alderman, Præpositurus, Confull, and the like attributes, as severall writers have diversly filed him, and his place of office, in feuerall ages

Orderic : hist
 lib : 13. pag : 917
 Policron : lib : 7
 cap : 17 : et : 19.

And by the name of Patricius, or by the dignity of being a patrician, I understand, (with others, after the Romaine manner) That hee was not onely a noble man of Bristoll, but of England also, or an English noble man, though not such a Peere of the Realme or Baron by tenure, as after this family shall see in the creation of the lord Robertt his sonne, And by the name, Confull, was usually meant in theise tymes, Earle of that place, As Robt the Confull of Gloces^t, was the Earle of Glouc : And Robert de Ferrars Derbicie Confull, was thereby created Earle of Derby by William the Conqueror : Reynulph Confull of Chester was in this tyme Earle of Chester, and many other the like.

His Wife

In this place of his magistracy, this Harding tooke to wife one Livida of whome I cann onely say, That theise are those two singular persons, the parents, from whome the generations whereof I have to write, even thowfands of thowfands are descended, and their numbers long since growne numberles ; Betweene whom was issue, five sonnes, Robert, Nicholas, Elias, Jurden, and Maurice ; And three daughters, Agnes, Mawd, and Cicely ; of each of whom as followeth

His Issue

1. **Robert** whose memorable Acts are more amply transmitted to posteritye was created Lord Berkeley, as after followeth in his life.

Nicholas

2. **Nicholas** was usually stiled, Nicholaus filius Hardingi, And had an estate in lands litle inferior to his elder brother, vntill the grant of Henry the second to him of Berkeley: The greater part whereof lay in the County of Somersett, where hee payed **csuage** in the vijth and viijth yeares of the fayd Kinge Henry the second, then affessed at two markes for a Knights ffee, towards the Kings warrs in his seidge of Tholoufe: And in which County also hee payd **ayde** in the xijth of that King towards the mariage of Mawd the Kings eldest daughter to the Duke of Saxony. |

Red booke in the
Exchequer

20

Hee had also the land of one Knights ffee in the County of Gloc, which hee held of William Earle of Glouc by that seruice.

Red booke in the
Exchequer

And was also owner of diuers lands in the County of Deuon: **And** other glimpses there are of many other possessions of his in other Countyes which I infist not upon.

That antient manuscript in the Exchequer called the **Red booke** setteth downe this Nicholas certificat to King Henry the second in the xijth of his raigne in theis wordes. Carta Nicholai filij Hardingi. Ego Nicholaus filius Hardingi teneo de rege feoda duoꝛ militum et dimidij Et de hoc feodo tenet wiffus filius Osberti duas ptes militis, et Wimundus tertiam ptem: Istos duos feoffauit pater meus tempore Regis Henrici et residuū mihi remanet in dominico meo, præter tres virgatas terræ quas duo milites tenent viz: Baldwinus et Hildebrandus, vt eas dedit pater meus, et iuant me ad serviciū meum: Ego nullum feoffavi post mortem patris mei.

Red booke in the
Exchequer.

Rot: pipæ. 14:
H: 2
Somersett.

Which certificat becaufe it is honored with his cote of Armes in y^e margent I will here English **I Nicholas** the sonne of Harding hold of the Kinge two Knights fees and a halfe, whereof Wiffm the sonne of Osbert holds two parts, and Wymond the third part of one Knights ffee, And theis two my father enfeoffed in the tyme of Kinge Henry the first And all the residue I hold in myne owne hands, except three yard land which Baldwine and Hildebrand two Knights doe hold, which my Father gave them, who contribute to mee towards my seruices, But my selfe haue not enfeoffed any person of any part of my land since my fathers death.

3. **Elias** the third sonne was vsually stiled, Elias filius Hardingi, hee was one of his eldest brothers eight pledges for performance of the agreement at Bristowe

Carta cum Riço
Berkeley de Stoke
sealed wth 2 lions
dorfe wife

Carta cū Riço
Bridges de comb.
plita in banco,
term Michis: 17:
H: 3. rot: 1.

Bristowe in Kinge Stephens tyme, as before hath bene said, **And** was after enfeoffed by his fayd eldest brother Robert, of one hide of land in Combe by Wotton vnderedge, To hold of him by the fifth part of one Knights fee which is nowe the inheritance of Richard Bridges, Anno. 1618. **Hee** was also enfeoffed by his faide eldest brother of one other hide of Land in Hunteneford on the other side of wotton vnderedge, To hold by Knights service as aforesaid, which is nowe the inheritance of Wilm Throgmorton Baronet, Anno 1618. **And** if it bee this Elias filius Hardingi (and not his grandchild) who by fine in the fifth yeare of King Henry the third fold | a yard land in Stapleton to william Albury for two markes, which was .76. yeares after, hee then surviued his childrens children, and dyed in extreame old age: **This** Elias filius Hardingi, had issue, William, Harding, and Margaret.

Finis in banco
5. H: 3. Glouc:

21

Rot: pip: H:
3 in Scio.

The faid William had his fathers land in Combe, About the wardship of whose sonne, called also william, was a fute in the xvijth yeare of of King Henry the third, betwene Thomas then Lord Berkeley the first of that name, and the Abbot of Kingeswood, which is all I have found of him, or of Margarett his sister.

plita in banco
17. H: 3. rot. 1.
Term michis.

Rot: chart. 7. Joh.
n.º 80. memb. 9.
Carta cum Riço
Bridges de comb.
Carta cum willo
Throkmortõ milit.

Harding second sonne of the faid Elias had his faid Fathers land in Hunteneford, from which place of his abode, Hee was called Harding of Hunteneford, who by Dionisia his wife had issue Matilda, who was maryed to Galfridus Vitulus (ats Geffry Veel) A gentleman much favoured by King John, and of spetiall acceptation with many great lords of that tyme, As the confirmation of that Kinge made to him in the Seauenth of his raigne, doth of it selfe speake aloud: To which Geffry Veel also the Lord Robert de Berkeley the second of that name, did about y^e begininge of that kings raigne, giue in franke mariage with the faid Matilda his Cozen, divers other pcells of land in Hunteneford and in the skirts of his chace (or forrest, as there is called) of Mikelwood, whereby that hyde, farme, or litle Manor of Hunteneford, was much enlarged:

Rot: carl: 7.
Johis memb. 9.
n.º 8.º

plita assis: coram
Abbate de Eveffi
5: H: 3. in
banco

Esch: 20: H: 7
post mort: David
Mathew militis.

And this Geffrye and Mawde had issue Robert Veel, father of S^r Robertt Le Veel Knight, who by Hawisia his wife had issue Peter Veel, who dyed in the life tyme of his Father, leaving issue by Cecily his wife Peeter Veel, who by Cecily his wife had issue Peeter Veel, who by Elizabeth his wife had issue Thomas le Veel Knight, who by Hawisia his wife had issue John Veel, who by Alice his wife had issue Robertt and William: The faid Robert by Elizabeth his wife had issue Alice marryed to David Mathew Knight, who had issue fower daughters

daughters, viz! Elizabeth maryed to Hurd, Anne first maryed to John Bainham of Westbury, and secondly to Thomas Morgan, Katherine maryed to Henry Ogan, and Margaret mar : to Wilm sonne of Christopher Throgmerton : of each of which fower daughters is plentiful issue, with Ample possessions at this daye, | Anno 1620 : p:tcularly named with the proofes in my Register of the Lord Berkeleys tenures by Knights sevice. 22

The said William Veel brother of Robert, by Suzan his wife daughter of James Berkeley of Bradley, had issue William Veel, who by Margaret his wife daughter of William Fettiplace had issue Edward Veel of Over, and William Veel of Acton, which Edward had issue Edward Veel and others, of whom is issue at this daye, Anno 1620. And the said William Veel of Acton had issue Nicholas Veel of Alleston who by Margaret his wife daughter of Richard Bridges of Combe aforesaid hath issue Thomas Veel that now is Anno. 1626. and others of remarkablenes in the County of Glouc :

4. **Jurdain** the fourth sonne, was an other of his eldest brothers eight pledges in the said agreement at Bristowe, And a wittnes to the first Chartar which Henry the second made to his sayde eldest brother, And after dyed without issue the xxvijth of February but what yeare I finde not.

Carta in castro de Berkeley.

5. **Of** Maurice I can say nothinge.

6. **Agnes** was maryed to Hughe de Hafele one other of y^e faide eight pledges, by whome shee had issue, And died the twentieth of July, but what yeare I find not.

Newl : pedeg : in Castro de Berkeley.

7. **Mawd**, written Matilda filia Hardingi, dyed the xxijth daye of March, which is all I can saye of her.

8. **Of** Cicely I can say noe more, Then that shee dyed the five and twentieth of November, **And** as the Aniverfary dayes of theis three sisters celebrated in the Monastery of S^t Augustines till the dissolution thereof, have told mee the dayes and months, Soe I wish I could haue found the yeares whearein each of them dyed, and their brothers, with their issues. |

Newl : pedeg : in Castro de Berkeley.

His Death

This Harding the King of Denmarkes sonne, deceased at Bristoll the sixt 23 of November in the xvjth of King Henry the first, Anno. 1115 or neer thereabouts

abouts, where he lyeth buried, from whose dayes, I sit far of, And hauing with much search found noe clerer light, I must complayne of tyme and fay with the Poet, That

Corn : gallus
Ovid. 4 de pont :

Cuncta trahit fecum devoratque volubile tempus
Tabida confumit ferrum, lapidemquè, vetustus.
Tyme doth confume each sublunary thinge,
It strikes as death, but ne're returne doth bringe.

His Lands

Liber Domefd :
in Co : Glouc :

And for this Hardings Lands, which by his death descended to his heire, ther's noe record or other evidence leaft vnconfumed, that can declare them, further then as aforefayd, and as after followeth in the life of his eldest sonne the Lord Robert, Saue that hee held Witenhort (nowe Whetenhurft) of Earle Britric in mortgage, as the booke of Domefdaye, vnder the title of Gloucestershire sheweth.

The Applications and use of his Life

The vse.

1. **Intendinge** in theis relations to apply each Ancestors actions and life to the vse and benefitt of theire present posterity ; I find noething leaft vndeavoured by tyme, more then to aduise the present Lord, who nowe hath the guidinge of theire honor and sterne, (and in him his) That hee turne that wheele & motion to thrift and vertue : what otherwise hee reareth, tyme in fewe ages will cast downe with him, As by this his first Ancestor appeareth. |

24 2. **Againe**, that seeing from the large circumference of his life, scarce the Center now remaynes ; That his posterity may see write theire Actions in iustice and righteoufnes, That theire memory may endure foreuer, According to the promise of the Almighty who hath sayde, and cannot lye, That the iust man shall dwell in the land for ever, and his memoriall shall be blessed : And that the root of y^e righteous man shall not be moved, but his house shall stand forever : yea, that his memoriall shall flourish like a greene bay tree that neuer fadeth. And that hee that followeth after righteoufnes and mercy, shall find life, righteoufnes and glory.

Prov : 2. v. 20. 21
And. 10. v. 7
And : 12. v. 3
And. 21. v. 21.

finis Hardingi

The zeal and industry of the Author in his endeavour to trace the descent of his illustrious subject are beyond all praise, but the result of his laborious argument will not bear a critical examination. It is evident the tradition that Harding, the founder of the great and noble house of Berkeley, was the son of the King of Denmark or of the Royal Race of that country cannot be any longer maintained. The highest authority we possess for the genealogy of the great men who flourished in the age in which Harding lived is the Domesday Survey, and recent researches into that venerable and valuable record, by Mr. A. S. Ellis, and the Rev. R. W. Eyton, the late eminent historian of Shropshire, who has done much for the correction of the Baronial pedigrees of that district as given by Dugdale, shew that Harding was an Englishman the son of an eminent English Thane named Alnod, or Elnod, or Ednothus as he is called in the text. There is however still some little difficulty in determining exactly his parentage because there were as appears from Domesday several English Thanes who bore this or a like name.

Upon this matter there has been much discussion in "Notes and Queries," but the subject is too large to be treated of fully in a foot-note and we must refer our readers for details to that periodical, and to Mr. Eyton's Analysis of the Domesday Survey of Somerset. It may, however, be remarked that neither did Harding nor his posterity for several centuries prefer any claim to a Royal Danish descent, nor is there, as admitted by Smyth, any indication of it to be found in any contemporary record or writer, nor in any of the Royal grants made to Harding himself. The earliest suggestion of the kind was made by John Trevisa, Vicar of Berkeley, in 1351—236 years after the supposed date of Harding's death.

It is to the critical acumen of Mr. Ellis we are indebted for having in his Domesday studies brought to our knowledge certain facts which seem to be conclusive that Harding was the son of Alnod, variously written Elnod and Ealnoth one of King Edward's greatest Thanes, who in that King's reign held large possessions in various counties. He was Stallere, or Master of the Horse, successively to Edward, Harold and William. Two years after the Conquest (1068) he led the men of Somerset to resist the attack made by the sons of Harold upon the Coasts of that County, when he fell in battle, a circumstance, according to William of Malmesbury, not regretted by the Conqueror, who immediately seized upon his lands and bestowed them upon Hugh de Abrincis who was afterwards advanced to the Earldom of Chester. Mr. Eyton suggests that Harding was probably at that time a Minor, at all events he did not inherit any of his father's estates, but he was endowed with other lands by the Conqueror, *inter alia*, the Manors of Meriet and Lopen with four other Manors in Somerset, and Eyton calls him "one of the greatest of the Anglo-Thanes in that County." He first appears in the Gild Inquest of 1084, where he is called "Hardincus de Meriet" from his Manor of Meriet and in other places "Hardincus filius Elnodi." He never, however, attained to the wealth and eminence of his father. There is little doubt he was Provost of Bristol, then a fiscal Officer of the Crown. He was certainly a lawyer. William of Malmesbury, a contemporary, says he throve rather by forensic than martial genius. He was one of the Justices Itinerant to Devon and Cornwall in 1096. In all probability he was in Holy Orders though perhaps not a Priest, as he married. Ellis suggests that his wife was a niece of Maurice Archdeacon of Maine, afterwards Bishop of London, and that this connection is the origin of the name of Maurice in the family, and the adoption of a Mitre as a Crest. He had several sons as stated in the text, and Smyth makes Robert the Eldest, but both Ellis and Eyton concur in stating that Nicholas was Harding's heir. It is not at all unnatural, even in our own day, for a younger son to become more wealthy and eminent than his elder brother, and to carry off the honours of the house. It is clear that Nicholas inherited his father's Manors, including Meriet and Lopen in Somerset, of which he made a return in 1166, as cited by Smyth. "He certainly was," Mr. Ellis says, "the Ancestor of the family of Meriet and as certainly his father was Harding the son of Alnod." When Nicholas made this return, Mr. Ellis says, he must have been about 76 years of age, which would fit very well with his being the elder brother of Robert Fitz Hardinge of Bristol—Mr. Ellis has given many other particulars of the younger sons of Harding as shewn in the accompanying pedigree which he has compiled.

Robert the First

27

The life of Robert the Sonne of Harding, vsuall **stiled** in writings, Rob fit Hardig, And S^r Robert fitz Hardt And Robert fitz Harding, And Robtus filius Hardingi, And Robtus filius Hardingi filij Regis Daciæ, **And** was the first Lord of Berkeley.

diuerſe cart : in
diuerſis tempore

Rot : pipæ temp
H : 2 :

And may bee called Robert the Devout.

Contemporari with King Henry the firste, Kinge Stephen, and King Henry the second ; from the yeare 1115 to the yeare 1170.

Whose life I deliver to his posterity vnder theis fowertene titles, viz^t :

- 1.—**His** birth and Education : fol : 28.
- 2.—**The** old Chartars of Berkeley, And this Lords first Creation of Lord Berkeley : fol : 28 :
- 3.—What the Manor of Berkeley and Berkeley herneſſe of old was, and is : fol : 32.
- 4.—**Of Barons** spirituall and temporall, fol : 37.
- 5.—**Of** what Lands this Lord was seized, and died seized of : fol : 42. 72.
- 6.—**His** founding of S^t Auguſtines Abby : fol : 43.
- 7.—**His** wife, fol : 54.
- 8.—**His** iſſue, fol : 55.
- 9.—**Berkley** of Durlſley . fol : 66 . 67 . 68 . 69.
- 10.—**Berkley** of Coburley . fol : 67 . 68.
- 11.—**Kingſcot** of Kingſcote . fol : 70.
- 12.—**This** Lords ſeale of Armes, fol : 71.
- 13.—**His** death and place of buriall . fol : 71.
- 14.—**The** application and vſe of his life , fol : 73.

His

His birth and Education

August: chartul:
fo 34. in cast. Bark:

Robt de Ricart
Manuscript.

This Robertt was borne in Bristowe, towards the end of William the Conquerors raigne, bred up in that Towne with Harding his father, And after his death (possessing the most of his estate, which (as the effects poynt out) was great, dwelled in Baldwinestreet there, (a name to this day retayned) from whence hee after removed, Ad magnam domum lapideam quam fecit super fromam, to a great house built by him of Stone vpon the River of Frome, as theis wordes of an old Deed of that tyme are; part of which house to this daye remayneth vndemolished.

Hollingshed,
Fabian et diuers
alij.

Newl: Ped: et 3.
af. in cast: de Berk.
Robt: de Ricart
manusc: cum
maiore Bristoll.

Whilest Mawd the Empreffe and Henry Plantagenet her sonne were contending with the vsurpur Stephen for the Crowne, much of their residence was at Bristowe, as also was the Education of the said Henry, there brought up in Learning from the fowrth to the viijth yeares of Stephen, which presented one of y^e many occasions of that great familiarity and Love, which alwayes after continewed betwene the sayd Henry and this Robert, And perhaps also theire affections (besides theire neer alliance in blood) somewhat the more sympathized, by being both of them the grandchildren of Kinges And soe far forth ere that Crowne Clayme was settled, did the Empreffe and her sonne Henry make use of the purse of this Robertt in that wantfull tyme of theirs, That from Roger of Berkeley Lord of Dursley were his fee farme Lands of Berkeley taken by this Duke Henry and Mawde his Moother for the Causes formerly mentioned. And for an hanfell (as it were) of that lumpe which followed, one hundred pounds land of that of Berkeley with the Manor of Bitton, was given to this Robertt and his heires by Deede (yet remayneinge vnder seale) in theis wordes

Cart: in castro
de Berkeley.

H: Dux Norw̃ et Comes And, Oibus Archiep̃is, Ep̃is, Abbibz, consulibz, baronibz, et amicis fidelibus, Francis et Anglicis: Sal:

Sciatis me dediffe Roberto filio Hard et heredibus suis, manũ | Betthone cũ oibus appendicijs suis, Et insuper centum libratas terre in manerio de Berkelai, ita

ita liberè et quietè, in bosco, et plano, et pascuis, et pratis, et aquis, et vijs, et terris arrabilibus, cum omnibus libertatibus et consuetudinibus, cū Tol, et them, et zoch, et Sache, et Belle, et Burgiet,¹ et infankenethes, et omnibus quietantijs que ibi fuerunt in tempore Henrici Regis avi mei, in feudo et hereditate, illi et heredibus suis, Ad Tenendū de me et heredibus meis per servitiū duoz mutatoz accipitrum singulis annis mⁱ et meis heredibus reddendorum, Et pepigi ei firmare ibi castellū fecdm voluntatem ipsius Robti. Et propter hæc sup'dicta dona, Rodbertus filius Hardingi devenit meus homo, et ego per fidem meam affidavi ei pactiones sup'dictas tenere illi atque heredibz suis. Et hoc idem affidavit Reginaldus Comes Cornubiæ, et Rodbtus de Dunsta[n]villa, et Ric: de Humez Constabularius et Manefer Bifeth dapifer, et Guarinus filius Geraldī Camerarius, et Wiltus filius Hamonis, et Philippus de Columbers, qui huius pactionis testes existunt: Et preter istos, testes sunt inde Abbas scī Augustini de Bristou, et frater Adam Canonicus eius, et Henricus filius Rodbti, et Wiltus Cumin, et Jordanus frater Rodbti, et Jordanus et David nepotes eius, et Ric: de Hanam apud Bristou.

See the significatiō of theis wordes in the English booke of y^e Termes of the lawe.

Howe great a reputation a Charter of such an extraordinary quality brought to this Robert, and what an opticke glasse it remaynes to showe the honor of his person and greatnes of his purse, let others obserue:

Accordingly the Castle was built at Berkeley where yet it standeth in the most conspicuous and convenient place for ayre, water, pasture, meadowe, wood, and benefitt of the great River of Seaverne, that, that fruitfull vale could then affourd, **And** to see the buildinge thereof, the sayd Duke Henry came in person, As by his Deed of Confirmation of Bedminster to this Robert dated at Barkeley may probably be gathered Howbeit at the first erection of the Castle, it onely comprehended the inmost of the three gates and what is within the same: The two vtmost and all the buildings within them, being the additions of Maurice eldest sonne of this Robertt, and of Thomas the second in the sixth of Edw: the second, and of Thomas the third in the xvijth of Edward the third, as after in their lyves appeareth.

Cart : in Castro de Berkeley.

Fol : [83]

Not two yeares had passed after the former grant, before the fayde | Duke 30 made a larger to this Robert in theis wordes.

H: dī grā dux Norñi et Aquitanie et Comes And, Oñibz Archiep̄is Ep̄is, Abbibz, Confulibz, vicecom̄, baronibz, Justicijs, et amicis fidelibus, Francis, et Anglicis: Sal. **Sciatis** me dedisse et concessisse Rodbto filio Hardt et heredibus suis

Cartam Castro de Berkeley.

¹ See Note B, page 62.

fuis, Berkelai et totam Berkelai herneffe, maneriū cū omībz appendicijs fuis, plene et integre sicut erat in tempore Henrici Regis avi mei **Tenendū** in feodo et hereditate sibi et heredibus fuis, de me et heredibz meis per serviciū Vnius militis, vel si Robtus aut heredes sui melius voluerint, centum solidos reddant pro seruitio miltis per Anñ **quare** volo et precipio vt ipse Rodbto et heredes sui prædictum manerium et omnia pertinentia sua, in ecclesijs, in nemoribus, in planis, in pascuis, in terris, in aquis, in vijs, in femitis, et in placitis, et in omībz rebus et eventibz teneant et impetuu habeant liberè quietè et honorificè cū Tol, et Tem, et Soch, et Sache, et Infanckenethes, et cū omībus libertatibus et liberis consuetudinibz fuis et quietancijs que ibi fuerunt in tempore Henrici Regis avi mei. Et pretereà dedi et concessi eis habere in p̄dicto manerio liberum Marcheium¹ cum oībus libertatibus quæ ad Marcheium pertinent quacunque die septimane voluerint, et monetam cum proprio monetario suo: Et quando feci hanc donationem pred̄co Rodbto, ipse dedit mihi quingentas marcas argenti de recognitione. **¶** Abbate S̄ci Augustini de Bristou, et Henrico Thesaurario, Wiffo Cumino, Rogero Comite Hereford, Ricardo de Humez Constabul, Mansier Biseth Dapif, Robto de Saltemareis

And about two yeares after, vpon the death of Kinge Stephen, (the sayd Duke Henry then being King) Hee in the first of his raigne made a third grant to this Robertt by his Deed in theis wordes—viz^t

H : dī grā Rex Angt et Dux Norſm et Aquil et Comes And, oībus Archiep̄is, Ep̄is, Abbatibus, consulibz, vicecom̄, Baronibz, Justic̄ et amicis fuis fidelibus, Francis et Anglicis, Saltm **Sciatis** me dedisse et concessisse Rodbto filio Hard et heredibz fuis, Berkelai | et totam Berkelai herneffe manerium cū omnibz appendicijs fuis, plenè et integre sicut erat in tempore Regis Henrici avi mei **Tenendū** in feodo et hereditate sibi et hæredibus fuis de me et hæredibus meis per serviciū quinque militum, **quare** volo et firmiter precipio vt ipse Robertus et heredes sui, prædictum maneriū et omnia pertinentia sua in eccl̄ijs, in nemoribus, in planis in pascuis, in terris, in aquis, in vijs, in femitis, in placitis, et in omībus rebus et eventibz teneant et impetuu hēant, liberè, quietè et honorificè, cū Tol: et Tem, et Soch et Sache, et Infanckenethes, et cū oībus libertatibus et liberis consuetudinibus et quietantijs que ibi fuerunt in tempore Henrici Regis avi mei, Et pretereà dedi et concessi eis habere in pred̄co manerio liberum Marcheium cum omībus libertatibus que ad Marcheium pertinent quacunque die septimanæ voluerint, et monetam cum proprio monetario suo: Et quando feci hanc donationem pred̄co Rodbto, ipse dedit mihi quingentas marcas argenti de recognitione. **¶** Abbate Riçō S̄ci Augustini de Bristou,

Reginald

Carta in Caltro
de Berkeley sig :
cum rubea cæra.

31

et totam Berkelai
herneffe, id est all
the Nookes and
Corners of
Berkeley

¹ See Note B, page 62.

Reginald Comite Cornubie, Rogero Comite Heref, Riço de Humes Constabulario, Manifer Bifeth Dapifer, Wittmo filio Hamundi, Guarino filio Geraldí, Robto de Saltemaries.

And this is that Deed which hath many tymes in the raignes of severall Kinges bene inrolled and confirmed, as the marginalls declare, from w^{ch} the Barony of Berkeley and dignity of being a Baron or peere of the Realme, is by this family derived to themselves, And from which, ought to bee the precedency of the now Lords place, as after more at large will be related in the lives of James the first, and of Maurice the sixth: **F**or this grant was his very Creation of Baron, And by it refulted to the fayd Lord Robert, the dignity of Baron, and to bee a Baron and peere of y^e Realme, viz^t. Baronem nobilitatis gradu ornatum, hauing by it, regularly and originally the true essentialls of a Baron and Barony, viz^t, Jurisdiction and territory holden by Knights seruice in Capite, both for Ciuill and Criminall caufes, not beinge created a Baron by writt, or patent, but by tenure as aforefayde, which is the most noble and antient of y^e three kinds of Barons that are at this daye of whome I shall hereafter write fomewhat more. |

As for the two former graunts, I esteeme them but as matter historicall, and as securities for the monies and supplyes which the Duke & Empreſs his Mother, at feuerall tymes drewe from this Lord Robert, ~~Neither~~ can this family haue any legall caufe hereafter to mention them: And were made betweene the feauenth of September 1150. (on which daye the fayd Henry by the death of Geoffrey Plantaginet his father became Duke of Normandy) and the five and twentieth of October 1154. (on which day the fayd Henry by the death of King Stephen, became King of England) when forthwith after, hee made the latter grant, whereby he was created Baron as aforefayd.

And if this family meet with two or more Deeds of theis lands made to Maurice eldest sonne of this Lord Robertt, by the fayd Henry whileſt hee was Duke, at the ſame tymes his father had the former, let it bee conceived, That either they were made to Maurice, when his Father Robertt became a Channon of y^e Monastery of St. Auguſtines as after followeth: Or were made upon the concluſion of Maurice mariage with the daughter of Roger Berkeley of Dureſley (whereof I haue already written) the more fairely to drawe on that peace, Or (if you take them not as confirmations) were made in the nature of duplicates, being y^e ſame in tyme and lands, onely differinge in the perſons to whome they were made, **A** courſe

1 H : 2, bis
Mauricio
1 et 10 R : 2
Rot : cart. 1. Joſſis
pars 2. n^o. 100 ff.
Paſch : rec : 4 E :
3. in Sc^oio rot :
7. 8. et Paſch : fin :
4 : E : 3 rot : 2 bis.
Cartæ 4 : E : 3. m.
25
pat : 12 : E : 4. m : 21.
pars. 1.
Pat : 3, et 4 Ph :
et Mariæ.
plita in recept.
Sc^oij.
8 : E : 1. de quo
warrant.

32
plita de quo
warranto in
Com : Glouc :
Paſch : 15. E : 1.
rot : 12.
Hollingh : fol : 58
64. 384.
Math : paris : fol.
107. et 111. et alij.

Of the manor of Berkeley and Berkeley Hernes

Mapæus manuſcr.
in Campden fo :
362

Original Manu :
in biblioth. Oxon.

Rot : pip : 1 H : 2
in Scçio

Rot : pip : 6 : R : 2
in arce Londin :

That old manuſcript of Walter Mape an Hiftorigrapher of that tyme ſhall declare, what this Manor of Berkeley and Berkeley Hernesſe was at the Conqueſt, and at the times of their grants ; In theis words turned into Engliſh : **Barkelap** neere unto Seaverne is a Towne of five hundred pounds renew, In it there was a Nunnery. And the Abbeſſe ouer theis Nunnes was a noble woeman and a beautifull, Earle Goodwine by a cunninge and ſubtile wit, deſireing not herſelfe, but hers, as hee paſſed that way left with her a Nephewe of his, a very proper and beautifull yonge gentleman (pretending that he was ſickly) untill hee returned back : him hee had given this leſſon, That hee ſhould keepe his bed, and in noe wiſe ſeeme to bee recovered vntill hee had got both her and as many of y^e Nunnes as he could

33 | with child, as they cam to viſit him, **And** to the end the yonge man might obtayne theire favore and his full purpoſe when they viſited him, the Earle gaue unto him prety ringes and fine girdles to beſtowe for fauours vpon them, and thereby to deceive them **Hee** therefore beinge gladly and willingly entred into this courſe of libidinous pleaſure (for that the way downe to hell is eaſy) was ſoone taught his leſſons, and wiſely playeth the foole in that which ſeemed wiſe in his owne conceit **with** him were reſtant all thoſe things that the fooliſh virgins could wiſh for, beauty, dainty, delicates, riches, faire ſpeeches ; And carefull hee was now to ſingle them alone ; The Deuill therefore thruſt out Pallas, brought in Venus, and made the Church of our Saviour and his ſaints, an accuſed temple of all Idolls, and the ſhryne, a very ſtewes : And ſoe of pure lambes hee made them fowle ſhee wolues, and of pure virgins filthy Harlots, **Nowe** when as many of theire bellies bare out bigge and round, this youth beinge by this tyme over wearyed with Conqueſt of pleaſure, getteth him gone, And forthwith bringeth home againe vnto his lord and maſter a victorious enſigne worthy to haue the reward of Iniquity, And to ſpeake playne, relateth what was done, **Nowe** ſooner heard hee this, but hee hieth him to the kinge, informeth him howe the lady Abbeſſe of Barkeley and her Nunnes were great with child, and comonly prostitute to euery one that would, ſendeth ſpetiall Meſſengers of purpoſe for inquiry thereof, proveth all that hee had ſaid, hee beggeth Berkeley of the king his lord after the Nunnes were thruſt out, and obtayned it at his handes, **And** he left it to his wife Gueda, but becauſe ſhee her ſelfe would eat noethinge (ſoe faith Domeſday booke) that came out of this Manor, for that the Nunnery was deſtroyed, hee purchaſed for her, Vdeceſter, That thereof ſhee might live ſoe longe as ſhee made her abode at Berkeley.

Domeſday book
in com. Glouc :

Woodcheſter 8
miles fro Berkeley.

Rot : pipæ. 1. H. 2.
in Scçio.

William de Berchelai in his Accompt in the Exchequer, for the farme of Berchelai made in the firſt yeare of King Henry the ſecond, Anno 1154. hath an allowance

allowance of three pownds by him layd out, in vestitura trium monialium, (for the garments of three Nunnes) had a kinde of hold or remaindershipp at Berkeley till King Stephens death, when this Accompt ended, when also ended all further allowance or memoriall of y^e Nunnes or Accompts of y^e Farme of Barkeley; At what tyme was remayning in the handes of the said William, the some of 234^{li} — 13^s — 8^d which hee then payde; And this is the eldest accompt in this Kingdome, that remayneth at this day vnconsumed by tyme. |

Heare also what the booke called Domefdaye remayninge in the receipt of y^e 34 Exchequer, compiled in the xiiiijth of y^e Conquerors raigne, more particularlie speaketh of this manor of Berkeley and of Berkelai Hernefs in its owne latin wordes, though in an other character.

Gloucesterscire : Terra. Regis.

In Berchelai habuit. E. rex 5. hidas, et in Dñio. 5. caruč, et 20 villañ, et. 5. Bordař, cum. 11. caruč, et 9 servi, et. 11. molini de. 12 solid. Ibi. 10 Radchenistres habentes. 7 hid. et 7 caruč, Ibi vnũ forum in quo manent. 17. hōies, et reddunt censum in firma.

Domefday booke
in thefau: Scēij.

Hæ Berclw pertineñ ad Berchelai

In Hilla. 4. hidæ In Almintune. 4. hidæ. In Hinetune. 4. hidæ, In Camma. 6. hidæ. et alie. 11. hidæ In Gosintune. 4. hidæ. In Derflege. 3. hidæ. In Covelege. 4. hidæ, In Euuelege. 2. hidæ In Nimdesfelle. 3. hidæ In Vittune. 15. hidæ, et dimid In Simondesfale dimid hida, In Chingescote. 4. hidæ et dimid In Beurestune. 10. hidæ, In Osleuorde dimid hida, In Almodesferie. 2. hidæ, In Horefelle. 8. hidæ, In Westone. 7. hidæ et vnũ virg., In Eldbertone. 5. hidæ, In Cromale. 2. hidæ, In Erlingehame. 9. hidæ, In Esceleuorde. 3. hidæ. Hæc supradicta membra omnia pertinent ad Berchelai. All theis villages are members belonging to Berkeley.

Inter totum

In his, Terř Regis Eđri in dnico. 49. carucař et dimid, et. 242. villani, et. 142. bordař, cū. 126. caruč; Ibi. 127. servi, Ibi. 19 libi hōies Radchenistr. hentes, 48 carucař cum suis hōibuz, Ibi. 22. colibti et. 15. ancillæ, Ibi 8 molini de 57 solid et fex denař.¹ The Englishing whereof I leave to the lovers of such venerable Antiquities, yet wth purpose in my Description of Berkeley to speake Alphabetically of the Etimologies, derivations, and significations of those villages Towneshippes, and Auntient wordes.

Also

¹ These extracts have been collated with the original and some errors corrected. [Ed.]

Quo warrant. in
thesaur: recepta
Scōij 15. E: 1.

Also, a triall in a quo warranto brought by King Edward the first in the fifteenth of his raigne against Thomas the second then Lord Berkeley not onely manifesteth, That by the sayd Chartar of King Henry the second, the foresayd Towneshippes with theire hamblets passed to this lord Robert and his heires, But
35 also an Hundred called the Hundred | of Berkeley is appendant to the sayd Manor of Berkeley, And also a leet of all resiants in the said villages and Towneshippes, as parcell of y^e sayde hundred, or rather as incident thereto.

Pafch : 4. E: 3.
rot : 7. 8 in Scōio
Pafch : fin : 4. E :
3 rot. 2. bis ibm
Hillař : 37 E : 3.
rot 8 in Scōio
fol :

Trin : rec : 8 Eliz:
rot : 41 in Scōio
after the plea of
weston Baldocke.
fol :

To which effect also are two other excellent records in the Office of the Remembrancer to the Lord Treasurer, the one in the fourth yeare of King Edward the third, And the other in the xxxvijth of the same Kinge, of both which I shall agayne make a second mention in places more proper ; And if the eye of this family be cast upon a Judgm^t in y^e same Court, given upon an other quo warranto or writt of prerogativa regis in Anno Octavo Eliz : Regine, touching this Manor and hundred of Berkeley and the liberties thereof, Then hath it seene the choysest peeces in that behalfe which doe remayne of record, save the grant of liberties in xiiiijth Jacobi mentioned in the life of the last George.

Red Booke in y^e
Excheq^r : fo : 111.

When King Henry the second married Matilda his eldest daughter to the Duke of Saxony, hee leavied xij^s iiij^d of every knights fee throughout the land, And in that xijth of his raigne, comaunded that every man by his publique instrument vnder his seale, should signifie what knights fees hee held of him, which (being in his grandchildes dayes King Henry the third, compiled into one booke by Allexander Archdeacon of Salop) is that remarkable booke, which at this daye is called the Red booke in y^e Exchequer, whereto this my Collections are beholdinge ; what tyme this Lord Robert certified in theis words

Carta Roberti filij Hardingi : *Henrico* dei gratia Regi Anglie &c. *Robtus* filius Hardingi Satm *Sciatis* quod vobis debeo de Berkelai servitium quinque millitum, Sed Rogerus de Berkelai tenet terram de honore de Berkeley, vnde nullum mihi facit servitium, sēst Ofelvordam, et dimidiū Newenton, et totum feodum Bernardi Capelli ; In English thus : To Henry by the grace of god Kinge of England &c. Robert the sonne of Harding fendeth greetinge, *knowe*, that I owe to you the service of five knights fees for Berkeley, But Roger of Berkeley holds Owfelworth, and halfe Newenton, and the lands of Bernard Caple, for which hee doth to mee noe service at all.

And also this Manor of Berkeley was for the eminency thereof in these antient
36 tymes (and soe continueth to this day enobled with the | name of an Honor or the honor

honor of Berkeley as severall bookes in the office of the Kings Remembrancer in the Exchequer in many severall leaves of them doe witnes: As also one other old booke of knights fees in the fame Court, wherein under the title of Coñ Gloč, diuers Knights fees are found to bee holden de honore de Berkeley And as by many other Deeds and records hereafter mentioned in the life of this lord, and of Maurice his sonne, and of Robert and Thomas his sonnes, and others, in their due places, will appeare.

honor de Berkeley
Red book in Scēio
Testa de Neuill
in Scēio: temp:
H: 3
lib: feod; mil: in
Coñ: Glouc:
Rot pip: 2. Johis.
Aug: chartular.
fol. 21. 33.
Claus: 4: H. 3. m: 8
Claus: 11 E: 2.

As for the signification of these wordes of liberty and Jurisdiction, as Tol, Tem, Soche, Sach, Infankenethese, &c. mentioned in the sayd Charters, they are expounded in the booke of the Termes of the lawe, more then tenne tymes reprinted and enlarged, But for theis generall and boundles wordes, in omnibus rebus et eventibus, (in all things and happenings, or which may happen or chance) lett his family (if it may bee) expound them after the old meaninge, by theis and the like in other Charters and grants made by the fame and other kinges in diuers ages, as well before y^e Conquest as since, And then the iurisdiction will be large enough for a subiect, and (perhaps) larger then the allowed vsage can well bee proved to have bene, viz:

The Charter of Kinge Athelstan to the Monastery of S^t John of Beverlac, gives (with the lands) liberties, in theis wordes, As free make I thee, as hert may thenk or eigh may fee.

Pat: 4. H: 5. m. 24.

The Charter of Witm the Conqueror made to the Abbot of Battle gives (with the lands) liberties, as large, vt rex dare potest, et quita ab omibus que humana mens excogitare potest, As the Kinge can give, free from all thinges that the mind of man can imagine.

Cart: 22. E: 3
m: 19:

The Charter of Kinge Henry the first, to the Abbott of Redinge gives (with the landes) omnes libertates quas regia potestas alicui Abaciæ conferre potest, all liberties which regall power can give.

Cart: 12. E: 3
m: 14.

And in the grants of subiects, viz: Witm Earle Marischall, in the tyme of King John, gave lands to the Channons of Kirktemell in the County of Lancastr, with, quicquid libertatis os loqui potest, aut cor homines cogitare, | To hold in land and liberty as freely as the mouth can speake, or hart can thinke, Which fewe (amongst many others the like in the Chartar rolls in the Tower) I held fittinge to mention

Cart: 17. E: 3
m: 9.

37

mention, that the posterity of this family may bee provided of fемblable materialls, when hereafter they shall renue their Charters, or bee driven to defend their claymes.

Mapæus Manufer:
in biblioth. Oxon.

Rot: pipæ in Scōio

1 H: 2. Glouc:

Rot: pipæ. 6. R: 1.

in arce londineh.

Vetus manufer:

cū Robto

Oldefworth

liber Domefdai.

And as it is certaine, that the lands that passed by this grant to this Lord Robert were the same which Roger Berkeley of Duresley held in fee farme from the Crowne at 500^l 17^s 2^d; rent p Annū, Soe I am assured, That the same at this daye in the hands of those lords and Tennants that nowe hold them, are much more worth then fifty thousand pounds per Annū, there being at that tyme not ten small free holds in all those Towneshippes, parishes, and Mannors, as elswhere in their relations appeare: Neither is it otherwise conceived, by men wiser then my selfe, but that 500^l 17^s 2^d in the tyme of y^e Conqueror, and till this grant in the first of Kinge Henry the second, payd in that kind of money noted to bee **Bl**: and **nūo**¹ in the pipe rolls, besides such victualls and other workes and accruments as arose out of theise lands (above the 500^l 17^s 2^d in money) was as much in the effect, and would each way have gone as farr, and done as much, as fifty (nay almost as twice fifty) thousand pounds will doe or compas at this daye wherein I write, And let not this passage bee reproved, but by the iudicious, And then I hould it vnreproveable: And besides the last title of this lords life, will shewe, That hee was owner of a third part of land more, besides what my weakenes in tymes soe remote, hath not bene able to finde out.

Of Barons temporall and spiritual

Omittinge to faye any thinge of Barons by prescription, as those whose Ancestors tyme out of mynd have bene called to the parliament by writ, whereof none nowe remayne. **Barons** by tenure, are those whoe hold anye honor, Castle or Manor, as the head of their Barony, in capite per baroniam, which is grand Serieantye, as the Lord Berkeley doth, as after followeth in the life of this Lord and his Successors till James the first: And theise Barons by tenure are either
fol: 38 Barons spirituall or Temporall: **Of** Barons spirituall **I** | will faye noe more (for it is besides my purpose) Then that Archbishops and Bishops are peers of the Realme, and have, both before and since the Conquest (in regard of their temporalities) both in y^e antient Brittaines and Saxons Kinges dayes, bene called to their parliam^t or other assemblies of state. **Holweitt** not soe much (in those Ante-conquest dayes,) in respect of their tenures, for then all were in Frankalmaine, but espetially because the lawes and Counsell of men, were then held most currant and comendable, and had a more blessed issue and successe, when they were grounded vpon the feare

miclegemot; the
great assembly
Witena-gemot
the assembly of
wise men.
comune consilium
Magna curia
generalis
conuentus.

¹ Blank and Numero—In the most ancient times, next after the Conquest, Payments at the Exchequer were made *ad scalam* and *ad pensum*; and in *Blank* (i.e. dealbated or blanched) Silver, and Money *numero*, or by tale. (See Madox "History &c., of the Exchequer." i. 275.) [Ed.]

fear of god, the roote and begininge of wifdome and enacted by the advife of fuch principall grave and learned pſons. **But** ſhortly after the Norman Conqueſt the Conqueror altered the tenure of their Biſhopricks as Matthew Paris hath, in Anno 1070. **And** now they have noe title to have conſtant place or voyce in parliam^t, but onely in reſpect of their temporall baronies & poſſeſſions And by holding as Tenants per Baroniam, And ſoe thereby Barons and they ſit at this day as temporall Barons and not as Biſhops, or under that ſpirituall and pſonall Character of being Biſhops, And now may be ſaid to have their Originall, in their poſt-conqueſt dayes, of their being ſuch conſtant barons of parliament as wee now ſee them, onely from their ſeiſin and inveſtiture of their baronies, wherein much might be amplified out of y^e bookes and Statutes vouched in the margin, and many others. **But** as touching the temporall Barons by tenure, their Releifes were vncertaine **And** in the tyme of this Henry the ſecond, and before, were ratable at the pleaſure of the kinge, iuxta voluntatem et miſericordiam domini regis, ſaith Glanville that then lived, which was one pretence for the Barrons warres that after raged: A queſtion betweene the Kinge and the Subiect, not reduced into certainty till the Statute of Magna Charta in y^e ninth yeare of kinge Henry the third **And** concerninge this very poynt in the particular caſe of Thomas the third, the trinepos, or great-great-great-grandchilde of this Lord Robert in the fourth yeare of King Edward the third, for the twoe Releefes there demanded of him, payable after the deaths of his father and Grandfather there is a iudgment in the poynt, **And** alſoe one other in the xxxvijth yeare of y^e ſayd Kinge, declaringe that the tenure of this Manor of Berkeley, is per baroniam, and the lord thereof a | Baron by tenure **And** howe thoſe releefes were made certaine at an hundred markes the peece, by the ſayd ſtatute of Magna Carta, after which rate the ſayd Lord Thomas then payd for his Father and grandfather, **And** for further prooſe of this tenure of y^e manor of Berkeley to bee per baroniam, is the confirmaçõ of Quene Alienor in the firſt yeare of King Richard the firſt, to the lord Maurice ſonne and heire of this Lo: Robert, To hold this Mano^r of her ſonne Kinge Richard, in baronia, by five knights fees, ſhee then (in her ſonnes abſence in y^e holy land) beinge Regent of this kingdom. **And** alſo an Office after the death of William de Albamara in the fortieth yeare of King Henry the third, finding his lands in Stinchcome within this Manor of Berkeley to be holden de ūno baroniæ de Berkeley; **As** alſo part of the land of Robert Wither in Bevington within the piſhe of Berkeley, alyened by him in the ſecond yeare of Edward the ſecond to the Abbott of Kingeswood, is found by Jury to bee holden of Thomas then Lord Berkeley, who (ſayth this record) holds the ſame with his other lands and tenements of the Kinge in capite, per baroniam **And** alſo

Mathew Paris.
1070
conſtit. clarendon
10. H: 2. 1164
art. 11.
Coke. 8 pars. fo:
19. 20.
Jewel. con: Hard.
fo: 620.
Provis: merton.
1272. Stat: 11 R:
2. cap: 3.

Stat: 9. H: 3
cap: 2.

Pafch: 4 E: 3.
rot: 7. 8. in Scçio

Hillar: 37. E: 3
rot: 8. in Scçio

39
Baronia lib:
relior: cum rem:
thefaur: in hillar.
term: 37. E: 3 in
Scçio.
Carta in Caſtro de
Berkeley.
30 Octob: 1. R: 1.
baronia.

Eſcæt: 40. H: 3.
in arc: londini.

Carta in Caſtro
de Berkeley.

Ad quod damnũ
2: E: 2
nº 112. in arc: lon:
Carta in Caſtro
de Berkeley.

Rot:efcae:inarce,
London. 5: E: 1.

fol: [495]

fol: [65]

Cart in Coll:
Bristol. Antiq:
manufr: in Castro
de Berkeley.

Newl: pedegree
in Castro de
Berkeley.

Domesday booke
in Scēio.

Cart: libere
warrenne regis
Step: in Castro
de Berkeley.

40

Carta in Cast: de
Berkeley.

Domesday book
in Scēio.

sub titulo Rogeri
de Berkeley.

Rot. pipæ tempoꝝ
H: 2: in Scēio.

Red booke in
Scēio, fo. 109.

Rot: pip. 9: Johis
in Scēio.

Glouc: manufr:
nuper cū Edro

Stipens modo
cū decano Glouc:

Aug: chart fo.
64. in Castro de

Berkeley.

Cartæ 2. H: 5 pars.
1. m: 6.

Cartæ. 11 H: 3.
pars 1. m: 12.

Cartæ in castro
de Berkeley:

caſt cum Georgio
Harding de Came.

also the deede of releafe of Henry de Berkeley lord of Duresly in the sixth yere of King Edward the first to Maurice the second, the pronepos or great grandchilde of this Lord Robertt of all his right and clayme in tota baronia de Berkeley, **And** the Eſcuage roll in the fifth of Edward the first, whereby Maurice Lord Berkeley recognized the seruice of three Knights fees for his Castle and barony of Berkeley, **And** diuers others which in their proper places in the life of James the first, and of other Lords, I shall haue cause to mention, To which tymes I will referr what more hereof I intended to haue written; **And** this Henry Lord of Dureslye was heire to the said Roger Berkeleye who in King Stephens tyme contended with this Lord Robert about this barony as afore is mentioned, whose pedegree fee after in the Title of the issue of this Lord Robert.

And it is further to bee observed, That the sayd Roger Berkeley lord of Duresley, was an antient Saxon baron, and ex sanguine regis Edw̄di confessoris, of the same blood with King Edward the Confessor, And held in fee farme in capite of William the Conqueror, and William Rufus, and Henry the first his sonnes, and of Kinge Stephen, the barrony and Manor of Berkeley as amply as in the sayde booke of Domesdaye it is expresse, with all the herneſſe, that is the Nookes and Corners thereof **Whereby** he had a long and | fetled possession in all those Manors, parishes, and hamblets (with discents from father and grandfather) which made the sayde great Manor of Berkeley, And the same lately before with the grant of free warren, confirmed to him by King Stephen; himselfe also then lord (as also was Ralph his brother) of many other Manors and faire possessions, as Siston, Dodington, Stanly, Coberley, Wapley, Newenton, Owfelworth, Slimbridge, and diuers other Mannors in the same County: **And** dwelling at Duresly within the sayd Manor of Berkeley then a village and member thereof, where hee had a Castle, (the ruines whereof not yet altogether perished) still retayninge the name, strongly also allyed to many of y^e antient Lords of this land. **And** King Stephen (which was not his least advantage) who then wore the Crowne, his fast friend, And hee agayne as fast to the kinge in his present warres against the sayd Empres and her sonne. **And** howe also vpon confidence of his sayd estate, and of his long possession, hee had given the Churches of Owfelworth, of Cowley, of Erlingham, of Slimbridge, and of Came, and diuers lands also, parcell of y^e said Manor of Berkeley, to the Abbot of the monasteries of S^t Peeters of Glouc; of Readinge, and of S^t Mary of Kingeswood, in frankalmaine (of which later his Ancestor was founder) **And** had also made diuers feofm^{ts} in fee of part of the sayd Manor of Berkeley, reservinge tenures by knight service, and rents thereupon, to bee holden of himselfe and his heires. **As**

of

of Draycots, Planches, and others. **I**f then the contentions betweene him and this Lord Robert were stiffe and violent, before that either by the power of the said Emprefs or of Henry Duke of Normandy her sonne, or of the sayd Robert, hee would, with the los of his honor and Barony, his Almes to the Monasteries, and of foe great a Masse of land, espetially King Stephen yet rainging (for whose sake this storme was raised against him) bee dispeered, or give footing to this Lord Robert his adversary, is not to be marvelled at; **N**eith~~er~~ (as Abbott Newland before hath said) That this Lord Robert should come vnto y^e said King Harry and pray him to resume his guift agayne **H**ow be it king Stephen being taken in battle, and brought as prisioner to Bristowe to the sayd Emprefs and her sonne, And Stephen and they reconciled, the peace was also vndertaken by both the princes, for their two freinds and favorites, the said Robert and Roger, **A**nd they by their mediation attoned, A crofs marriage betwene their Children concluded, and celebrated, the right and pre- tence of Roger | releafed, ceasing thenceforward to be Baron, **A**nd Robert in his Manor, honor, and barony of Berkeley in y^e prefence and with the assent of Kinge Stephen quietly established (Durefly only excepted) which being before related in the life of Harding, would more properly here haue bene presented, Saue that I was vnwillinge of those favery and well relished Covenants to make a fraction. **I**n which agreement also the grants of Roger made to the said Abbots of Glouc: Readinge and of Kingeswood, and to y^e sayd lay persons, were preserved, though in y^e said Agrem^t they bee not expressed; for all of them were enioyed vnder the grants of y^e sayd Roger, and never after questioned by the sayd Robert or his posterity, onely the Abbot of Readinge three yeares after the lord Roberts death, drewe into fute the Churches of Berkeley and Wotton, both before the pope, and his delegates, which in the end, were by the labor of Henry the second, ended, and established to this Monastery of S^t Auguſtines, but with payem^t of a pention to the Abbot of Readinge of twenty mikes per Annū: **B**ut the Abbots of Readinge never omitted in many generations to preserve their title (at least the memory) to the Church of Berkeley and the Chappells thereof, with the Tythes and other appur- tenances, whereto they claymed to haue right by the guift of Maude the Empres their foundres, As appeareth by the successeive confirmations of Henry the second, and of Richard the first, and of Henry the third, and of divers other Kinges after- wards, made unto them, As the Marginalls doe wittnes, **A**nd as for the sayd double mariages they proved prosperous, havinge multiplyed their branches into many families, inioying many opulent inheritances at this day, as in due places in theis relations is delivered: **A**nd from this first yeare of King Henry the second, Anno 1154. doth the lord George Berkeley take his place and precedency.

Robt de Ricart
p̄dict:

Newland pede : in
Castro de Berkley.

Mathew Paris
fo: 104. 115.

fol: [8, 51]

41

Aug: chart: fo: 64
in Castro de
Berkeley.

Cartae antiquae:
n^o 10 et 11. litera x.
Cart: 11 H: 3: m:
22.

Cart: 8 E: 2. m: 1.
Cart: 1: H: 5 pars. 1.
m: 43.

Cart. 5. 6. R: 2
membrana vltima.
Cartae. 1. H: 4 pars:
2 m: 26.

Patent 4 H 6 ps. 2
M: 15.
pañ. 3 E: 4 pars 3.
m: 25.

And

Justinian : tit : 1
4 annot in lege
12 tan :

And, I hope I may without offence, affirme, That sith the Scite place of this Castle of Berkeley (the lively image and Character of y^e Barony) was sometymes as before appeares) the Scite place of an holy Nunnery, where God (espetially in those purer tymes) was worshipped, and his holy name devoutly called vpon, And not demolished by any act or assent of this family ; And that sith y^e ruled case in Papinian is held for true, ~~howe~~ a sacred place loofeth not the holynes by the demolishinge of y^e Walls ~~That~~ it still remayneth as holy ground, And will the more happily contynue to that family, whereunder those | sacred ruines have bene preserved for more then 550. yeares And two consecrated chappells erected out of part of that earth and rubbish, as after will appeare, And thus haue I limmed out this Baronye of Berkeley which exceeded the most I have observed ; ffor it was not, like buildings of many peeces, patched vp from tyme to tyme according to occasions without frame or modle ; as favor of tyme ministred the materialls, But solidly out of merit and vertue, intirely layd and perfited at first, whereby through the blessinge of y^e most high it yet contynueweth with those stones tempered with the morter of more then one thousand pounnds yearlye renewe, at this daye.

Of what lands this lord was seased

Longe before the tyme of this Composition made at Bristowe, this Lord Robert was owner of much faire land, part by discent frō his father Harding, and part by his owne purchase ; As (amongst other) of the manor of Bylefwicke which hee purchased of the Earle of Gloucestre

The manor of Lega neer Bristoll being a member of his Manor of Bedminster in Somersfetshire.

The manor of Fifhide in Dorsetshire.

The manor of Cerney in Gloucestershire.

Cart : in Castro
de Berkeley.

The manor of Bray in y^e County of Devon, which hee purchased of William de Braiosa.

Pasch : rec : in
Scēio 22. E : 3.
rot : 12.

The manor and Advowson of Portbury in y^e County of Somersfett, which hee purchased of Richard de Morevill, And which also Henrye the second confirmed vnto him. Michas. 28 et 29. Eliz. in Scēio.

Rot. pipæ. 1. 2. 3.
H : 2 et postea
in Co : Som^rfett.

The manor of Bedminster neere Bristoll, which he purchased of Robertt Earle of Glouc : vnckle to King Henry the second, And w^{ch} hee also confirmed to him |

43

Carta in Castro
de Berkeley.

The manor and advowson of Were in y^e County of Somersfet, which hee purchased of Julian de Banton, and which Henry the second confirmed vnto him.

The

The three hundreds of Portbury, Bedminster, and Hareclyve in y^e County of Somerfet which hee purchafed of y^e Earle of Glouc, and w^{ch} Henry the second confirmed vnto him.

Carta in Castro de Berkeley.

The manor of Acton in the County of Glouc; which hee purchafed of Richard Foliot, And which Humphry de Bohun regis Dapifer, confirmed to him.

Carta in Castro de Berkeley.

The manor and Advowfon of Tykenham in y^e County of Somerfett.

Red Book in y^e Exch :

The manor and Advowfon of Powlett in y^e fayd County of Somerfett.

Divers lands in Wiltshire which he held of Humphry de Bohun by halfe a knights fee.

Red Book aforefaid.

Divers lands, Tenements, and Rents in Bristowe, and Radeclyve.

Divers lands in y^e County of warwicke, which hee held of y^e Earle of warwicke by the fourth part of a knights fee.

And nowe alfo of the great manor and honor of Berkeley and Berkeley Hernesse, which at that tyme confifted of 22 Mannors and parishes, many of them more then ten miles about, in a fruitfull foyle.

Domesday book.

And what further poffeffions this lord Robert had, efpecially by difcent, I am removed too farr out of fight, to behold; onely this I have found in recordes, Deeds, and Chartularies.

In caftro de Berkeley et in Monasterio Scti Aug : Bristoll.

His founding of St. Augustines Abby.

With theis poffeffions, it feems this Lord Robert had a mind of gratitude towards God the giver : **The** history of old Jacob, what the God of his fathers had done for him in a ftrange land, feemes to have bene part of his meditations : **After** the example of king David, he refolved to build to y^e honor of him that rewardeth every good worke, an houfe of prayer : **Hee** choofeth a place vpon the faireft mount and fweeteft aire about Bristoll, within his fayd Manor of Bylefwike, by S^t Auguftins greene, on the other fide the river of frome, not 500 paces from the houfes where harding his father firft fetled, and himfelfe had bene brought vp, and then dwelt in. |

Gen : chap : 32
vers. 10. 11. 12
1 Chron cap : 17
2 Sam : cap : 7
1 Kings cap. 5.

Aug : chartul
fol : 25. 28.

In the yeare of grace. 1140 the fifth of y^e raigne of King Stephen, hee layeth the foundation of that Church and monaftery, which with all the houfes of office theirt belonging, hee finished in fix yeares after ;

44
Carta in Castro de Berkeley.
Aug : chartular.

And vpon Eaſter day being the then eleaventh of Aprill, Anno . 1148 . in the thirtieth of the fayd king, the fower Biſhops of Worceſter, Exceter, Landaffe, and

Vetus manuſc :
Robt de Ricart cū
maiore Bristoll.

S^t Afaph

cart. in caſt: Berk.

Cart : epife : in caſtro de Berkeley.

Aug: chart: fo: 33

Cart in Caſt de Berkeley.

Pat: 12. E: 1. pars 2 m: 16.

S^t Afaph, (thither by him aſſembled) conſecrated, and dedicated the ſayd Church and buildings, to God, and to S^t Auguſtine the Engliſhe Apoſtle, And induc^ted the Abbot and Channons ; **On** which daye alſo, hee endowed the ſayd Church and Monaſtery (by his deeds which hee humbly preſented and layd downe vpon the Aulter) with theiſe Manors, lands, Advowſons, and Churches : viz^t :

The manor of Almondeſbury

The manor of Horfeild

The manor of Aſhleworth

The manor of Chromall, ſince called Chromall Abbotts

Divers lands and tenements in Erlingham, with half of y^e fiſhings there, and the Tyth of y^e other halfe.

The manor of Lega neere Briſtoll, a member of Bedmiſter.

The manor of Fiſhide in Dorſetſhire.

Carta in Caſtro de Berkeley.

Divers lands and tenements at S^t Katherines of the ffee of Portbury.

Divers lands and tenements at Blakenford

The manor of Cerney.

The manor of Bileſwike, wherein the ſaid monaſtery was ſeated.

The Churches and Advowſons of Tykenham, of Were, of Powlet, and of Portbury in y^e County of Somerſett.

tres Cartæ cum Decano Briſtoll.

The Churches and Advowſons of Berkeley, of Wotton, of Cromall, of Beuerſton, of Aſhelworth, of Almondeſbury and of all other his Churches and Advowſons of Berkeley Herneſſe, withall their Chappells, and lands in y^e County of Glouceſter, which hee wills upon his bleſſing to be quietly enioyed. |

Aug: chart: fo: 33.

45

Carta in Caſtro de Berkeley

Aug: Chart: fol:

34. 35. 37. &c.

And with divers burgages, houſes, lands, and rents in Briſtoll, and in places neere thereto adioyninge, as his Deedes of Feoffments doe declare : **One** of which devoutly concludeth with this prayer, That God the giver of all good things, would preſerve him that increaſeth theiſe good guiſts.

Cart in Caſtro de Berkeley

All which alſo out of the Deedes of the Biſhop of worceſter for the inveſtiture of y^e Advowſons and Churches within his Dioces, according to the ceremony of thoſe tymes, might bee much enlarged.

Aug: chartul: fol: 33.

The laſt of this devout lords devotions to this Monaſtery that I find, and as I thinke in y^e laſt Aet of his life, was the guiſt of ten ſhillings rent of inheritance to provide a Candle to burne for ever in the Church of that Monaſtery, coram deo et ſancta

sancta Maria et beato Augustino Anglorum apostolo, et in presentia omnium sanctorum :
et electi : dei, before god and S^t Mary and blessed Augustine the Englishemens
Apostle, and in the presence of all the Saints and elect of god,

Nobilitas morum plus ornat quam genitorum,
A gracious gift of god it is,
from princes to proceed,
yet greater far, good Ancestors
in goodnes to exceed.

This Monastery at the suppression thereof in the xxxijth yeare of Henry the
viiith was, by the Commissioners therein employed, certified to value in old rent—767^{li}
—15^s—3^d per annũ. And the monks there were called blacke Channons, and by
profession were of S^t Victor's Order, which speed calls Victorines : And in that
generall deluge of Monasteries, this had farre above most others, this good happ, to
bee recomforted, by being converted into a Bishops Cathedrall Church and endowed
with six prebendaries by the same Kinge that rayfed the invndation : The Colledge
gate whereof (saith Camden) workemanly built, carryeth in the Front this inscription.
Rex Henricus secundus. &c. Thus englished : Kinge Henry the second and
Lord Robert thee sonne of Hardinge the Kinge of Denmarke's sonne, were the
first founders of this Monastery : learned | Camden adding, That this Robert, called
by the Normans Fitz Harding, descended of the blood royall of Denmarke, was an
Alderman of Bristow and of King Henry the second's sonne entirely beloved, That
by his meanes Maurice his sonne maryed the daughter of y^e lord Berkeley, whereby
his posterity, whose flourished in great honor, are vnto this day called Barons of
Berkeley, and some of them haue bene buried in this church, Thus Camden :

Speed. fo : 797.

Antea : fol : 11.

46
Camden 239.

Camden sawe
this mariage but
in a mist, and
farre off.

This inscription over the gate, which makes King Henry the second Joynt
founder of this Monastery with this Lord Robert, is viewed of many and being
divulged in print both in Latin and English hath (to the diminution of Berkeleys
honor) possessed many, both in this and other Nations, that the truth is soe, which
not onely diminisheth the honor of the founders memory, but robbeth also, both him
and his posterity of their iust interest in the rightfull place of their sepultures.
Whereas without question, this Lord Robert was the onely founder, **at** the onely
charges **and** the sole endower of the possessions, **And** Kinge Henry the second a
benefactor and confirmer onely, As were the Earles of Gloucester and of Hereford,
the sonnes of the sayd Lord Robertt, and some other and noe otherwise : **And** for
fatissyinge

fatisfyinge all men therein, and restoringe due honor to the duft of this Lord Robert, I present his posteritye with theis twelue manifests thereof, convincinge all Contradiction. viz^t.

Prior of Ofwald
case 44. E: 3 :
fol. 24. 25 in fine.
Quicks case, Cokes
9. reports. fo: 129.

First, That by the Comon lawe of this Realme, if the Kinge and a Comon pson ioyned in a guift at the first foundation, The Kinge alone shall bee taken for founder, which King Henry the second never was, other then by this Inscription: And besides when this Robert in the fifth of Stephen, began the foundation, this Henry was not nyne yeares of age, And both his Father and Mother then lyveinge, which makes it more improbable. }

Stamford prerog :
ca: 7
Coke : 2 part: 80
plita de quo war :
in Scio. 15. E: 1.
rot: 29.

47 2. **Secondly** thee deed of this Lord Roberts endowment, is quod ego ad honorem dei et sanctæ religionis, dedi et confirmavi (those manors and lands before mentioned) per cartam meam, quam et ipse rex manu sua super altare S^ci Augustini posuit, That I, to the honor of god and of holy religion, have given and confirmed (the sayd Manors) by my deed which the king himselfe with his owne hand layd downe upon St. Augustines Altar: And ego Robertus hæc feci pro salutæ animæ meæ et dñi mei regis, I the sayd Robert have done all this for the health of mine owne soule and of my Lord the Kinges; which as it was an honor to the Kinge, and a Courtly Civility in this lord Robert, soe withall, an Act of wifdome: for this consent of y^e Kinges (in those good meaning tymes) amounted to a licence for the alienation of those Mannors and lands, which were parcell of the sayd lord Robertts barony and holden in Capite per baroniam, which otherwife might haue bene forfeited to the Kinge.

Carta in Castro
de Berkeley

3. **Thirdly**, to the sayd Deeds (whereby the Abbat and Chanons had their lands in the first endowment and foundation) the said Kinge Henry the second is a witnes, which noe man is to his owne grants.

Stow: chron: fo:
207. imprinted
1592.

4. **ffourthly**, Stowe hath thus, This yeare. 1140. Anno Regis Stephani xiiij^{to} Robert fitz Harding sometymes Maior of Bristoll, whose ffather was Kinge of Denmarke, havinge founded the Monastery of St. Augustine in y^e Towne of Bristoll, placed Chanons there, which founda^cõn was after confirmed by King Henry the second: Thus Stowe.

Aug: chartul:
fol: 18. 20. 24.
33. 34. 36. 37.

5. **ffifthly**, the confirmations afterwards made by this Kinge Henry the second, and by King Richard the first, to Richard the first Abbot of this Monastery and to his

his next successor Abbot John, And to his next successor Abbot David, of the gifts and grants of the sayd Lord Robertt shortly after the foundation, declare this lord Robertt to bee the sole founder, and those twoe Kinges but confirmes of his foundation and gifts.

plita de quo war
in Secio. 15. E. : 1
rot : 14

6. **Sirship**, Nicholaus second sonne of this Lord Robert, for the health of his owne soule and of the soule of his lord and Father, and of his Mother, and of his wife and children, giveth lands to this Monastery of St. | Augustines quam dominus pater meus ad honorem dei fundavit, which my lord (Father (fayeth hee) to the honor of god hath founded; The like grants are from the other sonnes of this lord Robert, and from his grandchildren also in the next generation, many of which are after mentioned.

carta in Castro de
Berkeley

48

Aug: chartul : fo :

7. **Seaventhship**, The Abbots of this Monastery in their Chartularies and Collections of the discents and posterity of this Lord Robertt, have acknowledged him for their founder, wherein Abbot Newland hath theis wordes: This S^r Robert fitz Harding was first Lord of Berkeley and primer fundator of our monastery of St. Augustines, and decessed a Chanon of the same, It foe appeareth by his obite in our martillogge which is yearly in our Chapter house in this forme reherfed, viz^t This fifth of February S^r Agathes daye. 1170 decessed Robert fitz Hardinge Chañon and our fundator; This wittnesseth also his sonne and heire Mawrice second lord of Berkeley in his sealed Chartar on this wise written: Bee it knowne to all Christen men that I Morice sonn and eire of S^r Robertt fitz Harding have granted and confirmed for my soule helth and of all myne Ancetrie; to the Church of S^r Augustines by Bristoll, the which my lord and fader hath founded, all such thinges the which my said Fader hath geven and granted to the Channons of the same Church of S^r Augustines, That is to witt, within Berkeley Hernefs, Almondesbury, Horefeld, Ashelworthe, and Cromehale, the which he gave vnto them when hee became and was made a Channon, and every of them with all their apertinences; **Thus** the Abbot: And in an other place, **thus**. And for this good lord S^r Robert fitz Harding, our primer fundator and the good lady Eve his wife, theis bene the spetiall thinges done for them, besides the generall prayers continually done in divine service by daye and night, first dayly, there is a masse said for them and al other Fundators and benefactors at the houre of Seaven in the morning, And also they bene prayed for dayly by name openly in our Chapter house, Also they have their placebo and dirige solemnly songe with ringinge in the eve of their Anivfary, And on the morrowe, comendations and Masse; The Abbot for the |

Newl: pedeg: 5.
H: 7 in Castro
de Berkeley.

49

fundator

5. February fundator and the prior for the foundresse executing the service, And on the day of our sayd fundator is Aniverfary there shall bee one hundred poore men refreshed in a dole made vnto them in this forme, Every man of them hath a Chanons loafe of bread called a myche and three hearings thearewith, there shalbe doaled also amongst them two bushels of pefys, And an other dole also that daye shall be made in money, cakes and loafes of three to a penny vnder this forme; The Abbot shall haue a Cake price iiij^d with two cast of bread, and iiij^d for wine, Also the prior and Superior and the Almoner, every of them shall have two Cakes price of euery cake ij^d with one cast of bread, and ij^d for wine; And every Chanon after, both of preists, and also of Novices, shall have a Cake of ij^d with a Cast of bread and ij^d for wine; Moreover every fecular fervand of houshold within the Monastery shall haue a Cake of j^d with a Cast of bread, Also every Fryar in every house of y^e fower Orders of Bristowe shall haue a loafe of bread, And in likewise every prifoner within the gaole of Newgate in Bristowe, And all the remnant of bread, not divided, shall bee doaled at the gate of our sayd Monastery vnto poore people; And every man takeing part of this doale, shall haue forty dayes of pardon.

12 Marcij And in the Aniverfary daye of Dame Eve our Foundresse, a dole shalbe made in this forme, That daye shall bee doled to fifty poore men fifty loafes called miches and to each three hearings, And amongst them one bushell of pease.

8. Eighthly in the two next ages after, Robert Lord Berkeley sonne of Maurice
 Carta in Castro
 de Berkeley. sonne of this Lord Robert, confirmed, deo et ecclesiæ sancti Auguftini, onmes donationes quas avus fuus Robertus filius Hardingi ad honorem dei edificavit, To god and S^t Auguftine all the grants which his grandfather Robertt the sonne of Hardinge to the Honor of god had given to that Church when hee founded the fame, And soe also faith the Deed of the Lord Thomas brother and heire of this Robert.

And fower other the like Deeds from others, as after in theis relations doth appeare. |

50 9. Ninthly, this Lord Robert by his other Deed, with the Consent of King
 Carta in Castro
 de Berkeley. Henry the second, gave the Churches of Berkelai-herneffe viz^t the Churches of Berkelai, of Wotton, of Beverstone, of Ashelworth and of Almondesbury with theire Chappels, lands, and liberties to the Church of S^t Auguftine of Bristoll, and to the Channons regular, in perpetuall Almes, for the health of his owne soule, and of the
 said

faid kings, and of his owne Antecessors, and of his wife and Children, as the words thereof are.

10. **Tenthly**, vpon a writ of quo warranto brought by King Edward the first in the fifteenth yeare of his raigne against the then Abbot and Covent of S^t Augustines, they plead against the Kinge, both the originall guifts and endowments of the faid Lord Robertt at the tyme of their Monasteries foundation, and also the severall confirmations of King Henry the second, which is allowed.

Plita de quo warr :
15. E : 1. rot : 14.
in rec : Scēij :

11. **Eleaventhly**, Robert de Glouc : in his old rithmicall Chronicle, hath thus
A burgeis of Bristow tho Robert Harding
for great treasure and riches foe well was with the kinge,
That he yaff him and his heires the noble barony
That foe ritch is, of Berkeley, with all the feignorie ;
And thulke Robert Harding arered such I wys
An Abby of Bristow, that of S^t Austin that is.¹

Robt de Glouc :
Manufe : tpe :
H : 6.

12. **Twelvethly**, Robert de Ricart fometye Towneclarke of Bristowe in his manuscript register of the old monuments of that Citye Carefully preserved by his succcessors in that Office, hath theis words, **Nowe** to speake of y^e foundation of y^e Abby of S^t Austens of Bristowe, begining first at Harding sonne unto the kinge of Denmarke, who dwelled in Bristowe in Baldwinestreet, And he had to his sonne, the lord Robert Harding Lord of Berkeley and founder of the fayd Abbey of S^t Austens, addinge hereunto certaine covenants made betweene the faid Lord Robert Harding, and Roger of Berkeley lord of Duresly, followinge here the conveyance of the fame: first King Henry Beauclarke sonne of William Conqueror had a Daughter called Mawd, that was his heire, | which was wedded to the Emperor of Almaine, And after the decease of the fayd Emperor, King Harry sent for his daughter home into England, And becaufe hee had noe other heire, hee willed and desired all the Barons of England to doe fealty vnto the fayd Mawd, and to Admitt her for his heire, Amonge whome, the first that ever swore, was Stephen Earle of Boloigne the Kings Nephewe, Soe it befell, that after that, Geffry Plantagenet Earle of Angeon marryed the fayd Mawd, and begat on her a sonne called Harry which afterward was called King Harry the second, And anon after the decease of King Harry the first, the fayde Earle Stephen brake his oth, and tooke on him the Crowne of England vniustly against his fayth and feauty that hee had made to the fayd Mawd, unto whom of right the Realme ought to bee preserved, whose sonne Harry grewe dayly vnto mans estate and came into England to pursue his Moders

Registr : Robti de
Ricart in Bristow

51

inheritance

¹ Hearne's Edition, p. 479, but this quoted from a MS. is a better text.

inheritance and his owne right, vnto whome Robert the sonne of Harding assisted by his power, departed largely with his gold & silver to the susteyninge of his Armies: And when Harry the second was King, Hee forgott not the great kindnes of the sayd Robert, but for the same hee gave him the Barony of Berkeley-herneffe, which that Roger of Berkeley lord of Duresley held in fee farme of the kinge, And the same the kinge tooke fro him because he payd not his farme, And also because he tooke part with King Stephen against the Kinge: Neverthelesse the sayd King Harry at the instance & prayer of Divers of his Lords, hee graunted vnto the sayd Roger the barrony of Duresley as his inheritance: Howbeit the sayd Roger vexed and trobled in many and fundry wifes the sayd Lord Robertt, for the which the said Robert befought the kings good grace to take fro him ayen the sayd Barony of Berkeley herneffe which hee had geve him, seeing he could not keepe it in ease for troblinge of the faide Roger: But then the sayde Kinge Harry made a peace betweene Roger and Robert, Soe that Roger gaue his daughter Alice to wife vnto Maurice sonne of Robert, and gave with her the Towne of Slimbrugge, and made doble mariages betweene both theire Children, and finall peace betweene them; which mariages, Covenants, and peace betweene the sayd Robert sonne of Harding and Roger of Berkeley Lord of Duresley were made in the house of the Lord Robert sonne of Harding at Bristowe in prefence of King Stephen | and of the lord Harry Duke of Normandy, and of Guyan, and Earle of Angeon, in prefence of many other lords and knights spirituall and temporall.¹ Thus Ricart.

Registr: Robti
de Ricart p̄dic.

Anno: 12 Steph:
Regis:

Anno. 13. Regis
Steph:

And in an other place of his register, the sayd Robert de Ricart hath thus: **Be it** remembred that Robert the sonne of Harding knight the first lord of Berkeley and founder of the Abby of S^t Austines by Bristowe being both Chanon and founder of the same, founded and newe built the same Monastery with all the houses of Office of y^e same in the yeare of our lord God. 1140. in the seaventh yeare of the raigne of King Stephen And after that in the yeare of our lord god. 1146. the Bishops of worcester, Exceter, Landaffe and S^t Affe, hallowed the said Church of S^t Austens, And after that Alrued Bishop of worcester send six Cannons from Wigmore and brought to S^t Austens by the sayd Founder on Easter daye in the yeare of our lord. 1148. which Robertt sonne of Harding had by his wife Eve divers sonnes and daughters, and hee lived and contynnued Chanon of S^t Austens.

And Eve his wife founded the Mawdlines of Bristowe, and liued and contynued there prioreffe; And the sayd Robert decaised the yeare of our lord god. 1170. And lyeth

¹ See also "Ricart's Kalendar," printed by the Camden Society 1872, p. 20

lyeth buried with Eve his wife in the entringe of the Quere of S^t Austens betweene the twoe stalls of y^e Abbott & the Prior of y^e fayd Monastery there.¹ Thus Ricart.

And to make the dozen compleat, by a measure running over and pressed downe, and for twoe convincinge proofes, that this lord Robert solely founded this monastery and endowed it with the forefaide possessions, Take for one, the twoe patent rolls, the one in the eleaventh of Edward the second, and the other in the xijth of Edward the fourth, In which are recorded also the Confirmations of King Stephen and of King Henry the second, and also of his eldest sonne King Henry (crowned in the life of his father); and And also one other Deed of this Lords (not before mentioned) wherein hee declares, howe that hee for the honor of god and of holy religion, had given to the Chanons of S^t Augustines of Bristoll, whose Church by the grace of god, and helpe of his lord the Kinge, hee had founded, All the foresayd lands which (sayth this Deed) hee hath done for the helth of his owne Soule, and of his lord the Kings, and of his owne wife, and of his parents | as well lyveing as dead, And after a coniuration to his heires for performāce of theis grants, concluds with a prayer, That god who is the rewarder of all good men, would preserve them foreuer, who doe add to theis his guifts, **And** to this deed makes his fowre sonnes, Henry Archdeacon of Exceter, Maurice, Nicholas, and Robert, witneses; where I note by the way, That, Henry being a Clergy man preceedes his elder brother; **And** theis records contayne also a confirmation of theis Manors & lands made by King John to the effects aforesaid; **And** also a grant made to the then Abbot in the thirteenth of Edward the first to have free warren in all his demesne lands in Almondesbury, Horefeild, and Cromehall aforesayd, And to have a market each wednesday, and a faire each whitsonnday, and for six dayes after, in his said Manor of Almondesbury.

pat : 11 E : 2
pars : 2 m : 29 :
pat : 12 E : 4. pars
2 m : 16.
Carta. 11. E : 2.
m : 5. n^o : 17.
pat. 15. E : 3 pars.
1. m : 13 in arce
Londō.

53

Carta : 13. E : 1.
m.

And for the other convincinge prooffe, the Abbot himselfe with the consent of his Covent, in a monstrance de droit, exhibited to King Edward the third in the fifteenth yere of his raigne, tells the Kinge (as before in the thirteenth yere hee had done) That hee doth not hold his Abby of him by Barrony nor by any other manner of waye, neither was his Monastery of his foundation, or of the foundation of any of his progenitors Kings of England, And thereby had wrong done vnto him to bee somoned to his parliam^t or to other his great Counsellis, which of late yeaes hee had bene to his manifest greivance and disquiet, And therefore prayeth that in right and Justice hee may bee henceforth forever discharged; which (saith the

Claus : 13. E : 3.
pars. 1. m. 16.
pat : 15. E : 3.
pars. 1. m : 15.

King

¹ See also "Ricart's Kalendar," printed by the Camden Society 1872. p. 22

King) hauinge bene by searcho into the rolls and Recordes of our Chancery found to be true; Therefore wee doe discharge the said Abbot and his Successors from all fomons of coming to our Parliam^{ts} or other Counsell, which records the wit of man cannot answere.

Claus : 39. E : 3
m : 5.
Pat : 40 : E : 3
par : 1. m : 36
claus : 45. E : 3
pars 1. m : 11
pat : 45 E : 3
pars : 1. m : 26,
et pars 2 in dorso.
pat : 6 : H : 6.
ps. 2. m. 9. 15.

Howbeit, the marginalls here quoted, doe warrant mee to thinke, That some of those Abbotts (at least theire sollicitors) had for a tyme forgot the name and family of Berkeley to bee theire founder, which might occasion the foresaid inscription over their Monasterye gate at the reedifyinge thereof about the same tymes, (one erroneous president drawing on an other); The observation whereof, is likely to have bene a prime motive to Abbot Newlands forementioned Pedegree, thereby as in the entrance theirt, hee sayth, to informe aright his bretheren Chanons present and for ever after to Come, of theire right founders, for whome (as hee faith) they are ever bounden | specially to pray : **And** the rather perhaps, because at his owne admission to the place of Abbot seaven yeares before, the Monasterye was acknowledged to bee of the foundation of King Edward the fourth his progenitors : **And thus** is dispelled from over St Augustines gate the fogge of that misty inscription, which had long clouded the memoriall of this noble lords deservings, by such and foe many vnrefistable, irrefragable, luculent, and vncontroulable proofes, as are capable of noe other reply but this, That they that ingraved that inscription, never heard foe much before.

His Wife

Collect. Gloveri
cū Jolie Philepot
herald nepote suo:
vetus rentale
de Portbury in
Castro de Berkeley
Regist : Robti
de Ricart cū
maiore Bristoll.
Newl : Pedegree
et al in Castro
de Berkeley.

The wife of this Lord Robert, was Eva daughter of one St Estmond and of the lady Godiva his wife, whome the collections of Glover sometymes Somersfett Herald (if wee may beleue him) maketh to bee sister of William the Conqueror by Robert theire father Duke of Normandy; And in some other Collections of Heralds, this Eva is sayd to bee neece to William the Conqueror, which confirmeth the former: By this Eva hee had issue five sonnes and twoe daughters, as followeth : **After** her husbands death shee founded that religious place to this daye called the Magdalens of Bristoll, And haveinge endowed it with competent possessions, shee herselfe became prioress thereof, where shee dyed prioress the xijth of March Anno. 1173. or neer thereabouts, And is buryed in the Monastery Church of St Augustine by her husband, beetwene the stalls of the Abbot and Prior, as followeth :

And greev'd I am that tyme hath left mee more to tell,
Of those great workes, this pious lady did foe well |

His Issue

55

1. **For** Maurice the eldest sonne of this Lord Robert, his life, as Lord succedeth.

2. **Nicholas** the second sonne of this Lord Robert is often written Nicholaus, filius Roberti, filij Hardingi, And sometymes Nicholaus, frater Mauritij, But most vsually Nycholaus Dnus de Tykenham.

From his father, for his portion, he had at one tyme the villages of Hull and Nimdesfeld members of his said Barony by a Deed in theis words: Robt^o: fit Hardt, omibus amicis et hominibus suis, Saltem: Sciatis me dedisse et concessisse Nichol fit meo, Hullā et Nimdesfeld cū oībus pertineñ suis quas Dnus rex mihi dedit pro servitio meo in feodo et hereditate, sibi et hæredibus suis, faciend illi in serviciū dimid militis, libas et quietas ab omni alio serviç, Teste Riço Abbe sc̃i Augusti: &c. **Whiche** deed Nicholaus sonne of Ralph great grandchilde of y^e sayd Nicholaus sonne of this Lord Robert, in the fiftenth of King Edward the first vpon a quo warranto brought against him, pleads at large, **As** also hee there doth the confirmaçōn of King Henry the second of y^e said grant, made at the same tyme; **And** howe that thereby hee had the correction of the breaches of Assize of bread and Ale, which hee punished per denarios by the purses, becaufe hee had noe tumbrill or pillory, Soke, Sake, Thol, Them, nor Infangetheefe; **And** at other tymes, for his further portion, this Nicholas had from his father, the Mannors of Cokerford and Langstane, and divers lands in Tykenham in Somersethshire, from whence hee tooke his usuall appellation of Lord of Tykenham, becaufe his most residence, after his mariage, was there; And diuers lands and Tenements in Bristoll, Cheshull, Porthashed, Rualach and other places in that County, with some others in that and other Countyes.

This Nicholaus was a liberall benefactor to his Fathers Monasterye of St Augustines, whereto hee gaue thee Churches of Cheshull, Porthashed, Langstane, and Rualach, and diuers houses, lands, and rents in those places in Bristoll, part whereof hee gave thee day of y^e dedicaçōn of that Monastery by laying downe his deed vpon the Altar before thee said Bishop of worcester, and all the people then present, And other part^e at other severall tymes after, as hath before bene touched. |

The red booke in the Exchequer sheweth, That this Nicholaus payd feuerall Escuages to King Henry the second in the vijth viijth and xxxijth yeares of his raigne toward his warrs in Tholous, Ireland, and Galway, And also Ayde in the thirteenth

Carta cum Edro
Coke militi
capitali Justic:
Anglie.

Efchæt. 28. H: 3
post mort. Tho:
dñi Berkeley
vide fol: 1

plita de quo warr.
in rec: Sc̃ij. 15.
E: 1. rot: 7.
Pafch: rec. in
Sc̃cio 1 E: 3. rot:
7. et 8.

liber feodorū
militi: in Sc̃cio:

Aug: chartul:
fol: 36. 37. 38.

diverse cartæ in
Castro de
Berkeley
fol: [44. 45]

56

Red Booke in the
Excheq:

of

¹ The Inquisition post mortem of this Thomas does not now seem to be extant in the Record Office. [Ed.]

of that Kinge to marry Mawde his eldest daughter to the Duke of Saxony, for the
See before fol: [55] lands hee held in the County of Somerfet.

Rot: pipæ in
Scðio 33: H: 2

The pipe roll in Anno. 33. H: 2 under the title of Scutagiū baronū of the Efcuage payd by the Barons, shewes this Nicholaus payd ten shillings towards the Kings Army into wales.

Rot. pipæ: 4. 5:
6 7. et 9: R: 1.
in Cambr: et

Hunt:
Eadem: 1. et. 2
Johis:

And the pipe rolls in the ffourth, fifth, Sixth, and Seaventh yeares of Richard the first, shewe howe: 180th and fiteene markes, were drawne by the Kinge from this Nicholas, that hee might quietly hold his wives lands in the County of Cambridge which were of Wido fit Teci vntill the Kings returne from Jerusaleme, against Reginald de Argenton who claymed the fame against him.

Rot: pip: 1. R. 1.
in Cantbr:

And in the first of that Kinge, hee gave the King: ten markes, pro festinando iudicio suo de terra de Stanbridg &c. to haue expedition in his suit against Alice, the wife of Robertt Giffard for land in Stanbridg &c.

Aug: chartul: fo.
36. 37. 38.

This Nicholaus had to wife Ala daughter and coheire of Guido atis wido sonne of Tecius lord of Tykenham,¹ by which mariage his estate in Tykenham and in diuers faire lands in y^e Countyes of Somerfett, Cambridge &c. was greatly advanced.

Aug: chart: fo: 39.

This Ala in many of her Deedes of widowhood reverenceth her husbands memory with theis words, dominus vir meus Nicholaus, and dominus meus Nicholaus my lord and husband; my lord Nicholas, and the like.

cart: cū decan:
Bristoll. cart. in
Cast. de Berkeley.
Newl: pedegree
ibm.

Rot: pip. 6. 7. R: 1.
in Scðio, et in
Arce london.

Rot: pipe, 6. 7. 8.
R: 1. in Scðio et
Arce london.

By her this Nicholas had issue Henry, who after mans estate, dyed without issue, And Roger, Jordan, and Ala marryed to Ralph Bloet with whom her sayd Father gave in mariage the forefaide Manor of Langstan, And hee dyed the fifth of May in the sixth yeare of Richard the first, Anno. 1189.

57

Eodē. 9. R: 1
Eodē. 1. 2. 4.
Johis.

Rot: pip. 8. 9. R:
1 in Scðio, Glouc:

The said Roger sonne and heire of this Nicholaus, by the name of Rogerus filius Nicholaij, filij Robti, filij Hardingi, payd five hundred markes pro habendis terris patris sui, to enter upon the lands that were his Fathers | And this was for the releefe after his fathers death, And in the viijth yeare of King Richard the first, pay'd threescore markes for the Kings licence to marry Hawisia mother of Raph de Somery then a widowe and endowed of lands holden of that Kinge in Capite.

The

¹ Two Manors of Tickenham are mentioned in the Somerfet Domeofday. One was held by William de Ou, in demefne and the other by Arnulph de Hefding. The first was afterwards held of the honour of Striguil, and the other was parcel of the honour of Gloucester. One was purchased by Robert Fitzharding, (see ante. p. 35) and the other acquired by marriage with the co-heir of Guido son of Tecius. [Ed.]

The said Roger dyed in the fifteenth of King Henry the third Anno 1230 leaueing issue Nicholas, which Nicholas the sonne of Roger (as the pipe roll of that yeare faith) reddit compm de 100^s pro reio suo de terra que fuit Rogeri filij Nicolaij patris fui, payd fwe pounds for his releefe for the lands that were Rogers sonne of Nicholas his father; whereby appeares the operation of the Statute of magna charta enacted six yeares before.

Rot: pip: 15: H: 3 in Scēio:

Between this Nicholaus and Maurice Lord Berkeley the second of that name arose suits in lawe for services which that Lord required of him out of his foresayd Manors of Hull and Nymesfeild to his lawe dayes at Berkeley which were ended by composition, as amongst the lawe suits of that lord appeareth.

fol: [152]

This Nicholas had to wife Sibill heire to the Manor of Elmore and dyed in the six and fortieth yeare of Henry the third, Anno. 1261. leaving issue Raph, which Raph by the name of Raph sonne of Nicholas sonne and heire of Roger, did his homage in the 46th of Henry the third, And dyed in Anno. 19: E: 1. leaving issue Nicholas.

Aug: chart: fol. 1.
fin: 11: H: 3. m: 7.
Rot: fin: 46. H: 3.
Claus. 8 E: 1. m: 8.
Trin: fin: 20. E: 1.
in Scēio cū
reñ thes:
Trin: rec: 20. E: 1:
ibm.
Eschæet. 33. E: 1.
n^o 206. et 6. E:
2. n^o 53.
Mich: fin: in
Scēio 8: E: 2
cum reñ thesaure:

The said Nicholas sonne of Raph by Matilda la Ram his wife had issue John, and died in the sixth of Edward the second, Anno. 1312 In like manner betweene this Nicholas sonne of Raph, And after betweene this John sonne of Nicholas, arose other futes about the same services of the said Manors of Hull and Nymesfeild with the lord Thomas sonne of the said Maurice, and with other lords after him, As in the life of the said Lord Maurice vnder the faide title of lawe fuites, is declared.

The said John lyved for the most part a Martiall life, And for his prowes was very deere unto John Duke of Brittain and Richmond whoe rewarded him with one hundred and twenty markes p Annū for his life; And by Jone his first wife had issue Reginald, And dyed in the nyne and fortieth yeare of Edward the third, Anno. 1375. whose second wife was Eva. |

Claus. 5. R: 2.
m: 14. Pat: 5. R:
2 m: 27. ps. 2.
liberat. 32. E: 3.
m: 6.
Ad quod darñn.
29. E: 3. n^o 47.
Eschæet: 49. E: 3.
n^o 50 pars. [2.]

The said Reginald dyed in the life tyme of John his father, And leaft issue S^r Thomas fitz Nicholl Knight, which Thomas by the name of Thomas sonne of Reginald fitz Nichol, sonne and heire of John fitz Nicholl, did his homage to King Edward the third in the nyne and fortieth yeare of his raigne, And payd releefe in the first year of King Richard the second for the said Manors of Hull and Nymdesfeild.

58

Rot: fin: 49. E:
3. m: 21.
Pach. fines. 1:
R: 2 in arce
londini.

And

And because my wife and children and many others in the neighborhood of Berkeley Castle, clayme their discent from this S^r Thomas fitz Nicholl, who was the Nynth from Hardinge the Dane as before appeares, And with whom ended the issue male of this second sonne of this Lord Robert, I will somewhat enlarge vpon this S^r Thomas, thus. Hee maryed for his first wife Margarette one of y^e daughters and coheires of [blank] whereby in her right he had the moietyes of y^e Manors of Filton in the hundred of Berkeley, and of Harry-Stoke neere Bristoll in y^e County of Glouc; by whome hee had issue Katherine and Alienor, as after followeth, And after her death hee maryed Agnes who also dyed before him, but by her had noe issue.

Eschaet : 6 : H : 5
n^o 44. post mort.
Tho: Fitz Nicholl.

Claus : 9 : R : 2.

m : 21

Claus : 10 : R : 2.

dorfo.

Claus. 16 : R : 2.

dorfo.

Claus : 18 : R : 2.

dorfo

Claus. 1. H : 4.

dorfo

Claus. 2. H. 4.

ps. 1. dorfo

Claus. 9 : H : 4.

dorfo

Claus. 1. H : 5.

dorfo

Claus : 4. H : 4.

dorfo :

In the Nynth, tenth, Sixteenth, and eighteenth yeares of Richard the second, this S^r Thomas was one of y^e knights for y^e County of Glouc: for the feuerall parliam^{ts} holden those yeares.

The like hee was in the first, second, and Nynth yeares of Henry the fourth, In which second yeare, John Browninge (of whome after) was his fellowe knight for that parliament.

And the like hee was in the first yeare of Henry the fifth; Soe eight tymes Knight of y^e Shire at foe many Parliaments.

In the fourth of Henry the fourth, he was high Sherife of the County of Glouc :

In the fifth of Henry the fourth, hee and the said John Browning by a pettial Comission named and arrayed for the warrs, all able men in that County of Glouc :

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In the xijth of Henry the Fourth, hee intayled his Manor of Hull | at^s Hill (where hee most comonly lyved, feldome at Nymesfeild) to himselfe and Agnes his wife and to the heires males of his body, The remainder to Robertt Poyntz and Katherine his wife daughter of him the said S^r Thomas for their lyves, The remaynder to Nicholas Poyntz sonne of the sayd Robert and Katherine and to the heires males of his body, The remainder to Thomas Poyntz his brother and to the heires males of his body, The remainder to Maurice Poyntz his other brother and to the heires males of his body, The remainder to Blanch, Isabell, and Joane, sisters of y^e said Maurice and to the feuerall heires males of their bodies, The remainder to the right heires of him the said S^r Thomas Fitz Nicholl for ever.

pat: 5. H: 4 dorfo.
pat: 12. H: 4 m: 26.
Eschaet : 6. H : 5
n^o 44. post mort.
Tho: Fitz Nicholl.

This

This S^r Thomas Fitz Nicholl fix yeares after this entayle in the fifth of King Henry the fifth, Anno 1418. dyed without issue male of his bodye, leavinge the faide Katherine wife of Robertt Poynz and Elianor wife of the fayde John Browninge his twoe daughters and heires; betweene whome hee left his other Manor of Nymesfeild with the Chantry of Kinly within the fame, to discend in Coparcinary as followeth, which then valued eight markes per Anñ :

Eschaet. 6. H : 5.
predict : n^o 44 :

From which Nicholas Poynz, the first remainder man, the fayd entayle came to S^r John Poynz, Father of S^r Robert Poynz, father of S^r Anthony Poynz, father of S^r Nicholas Poynz who maryed Jone daughter of Thomas Lord Berkeley the fifth of that name, whoe had issue betweene them, S^r Nicholas Poynz, and divers others, as amongst the issues of that Lord appeareth, which last S^r Nicholas, was father of S^r John Poynz, whoe about twenty yeares agone, alayed this Manor of Hull ats Hill, which is now the inheritance of Edward Fuft, And is himself yet living, Anno. 1628.

fol : [683]

Elianor, the yonger daughter of y^e fayd S^r Thomas Fitz Nicholl, was married to John Browninge aforefayd, who both dyed in the life of the fayd S^r Thomas, leavinge issue John then twenty yeares old, and William ; which John shortly after dyed without issue, leavinge the fayd William his brother and heire, whoe afterwards by his Deed in the Tenth yeare of King Henry the sixth alayed his moietye | of the fayd Manor of Nymesfeild to Thomas Poynz and Joane his wife in taile, with a remainder to the fayd Robert Poynz his father in fee, To which Thomas and Jone the fayd Robert and Katherine had in like fort the same yeare conveyed theire other moyetie of the fayd Mannor of Nymesfeild, whereby it became agayne vnited in one.

Eschaet : 6 : H : 5
n^o 44.
Fin. 6 : H : 5 : m : 4.
Rot : pdon. 15.
H : 6 m : 25.

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Pat : 10 : H. 6.
pars : 2. m : 15.

This William Browninge, hauinge by sale of his patrimony as aforefayd, and otherwife, much shortned his estate, became farmer and Tenant to the Abbot of S^t Peters of Glouc : for his rectory of Cowley, a parish next adioyninge to Nymesfeild, where hee dyed, leavinge issue John, whoe as his pardon in the sixteenth yeare of King Edward the fourth sheweth, contynued the same possession, by the name of Farmer of y^e rectory of Cowley, manens apud Churchend in eadem villa, dwelling at Church end in the same Towne, the place of habitation of his posterity to this daye, Anno. 1628. **Which John** had issue **John** and **William**, John was a Clarke and dyed without issue, And William his brother had issue John, who by Margaret his wife daughter of William Hardinge of Came, had issue, Richard, who by

pardon. 16 : E : 4.
m : 3 in arce,
london

diuers : cartæ cū
 Johē Browning
 de Cowley :
 liber : M : S : cum
 Decano : Glouc :
 fol : 284.
 diuerſæ rot: Curie
 Manerij de
 Cowley in Caſtro
 de Berkeley

Elizabeth his wife, daughter of Edward Parſons of Stanley had iſſue John and Richard and five daughters, from each of whome is iſſue, **The** ſaid John ſonne of Richard by Chriſtian his wife, daughter of Nicholas Webbe of Kingſwoode, hath iſſue, **John, Mary,** and **Ursula** all of them now livinge. 1628. And haue iſſue; which Mary hath iſſue five ſonnes and ſower daughters by author of theis collections, who acknowledgeth that the favors of this noble Family haue forty yeares and more ſhined vpon him, through all the darke and ſhadowy chances of his life, whileaſt hee hath beene binding togeather theis his gleanings. **during** which diſcents in this name of **Browninge** they haue by ſeverall leafes held the ſaide Rectorye of Cowley from the ſaid Abbotts of Glouc: till the diſſolution of that Monastery, And after from the Crowne, till the laſt John Browninge in the xiiijth yeare of King James, purchaſed the Inheritance thereof, **which** Indentures doe plainly lay downe the diſcent as aforeſaid (as alſo doe the ſucceſſive Copies | of Cancourt held alſo by them of y^e lord Berkeleyes lords of that Manor) All which are in the poſſeſſion of the laſt mentioned John Browninge, Anno 1628.

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And for further illuſtration of the diſcents of this Nicholas ſecond ſonne of this lord Robert, and of the variable fortunes which in the motions of neere. 500 yeares have befallen his poſterity, theis records here under vouched, will ſatisſye therein, none of which are formerly quoted in the margents, viz^t:

Rot: finiū. 20: E: 3. m: 2: / pat: 29: E: 3. pars 3. m: 3: / claus. 49: E: 3. m: 2: / pat: 5. R. 2. pars 2. in dorſo: / claus. 6 R: 2 pars 1. dorſo: / Rot. Scotiæ. 9 R: 2. / Fiñ. 6. H: 5. m. 1. et 4: / claus: 6. H: 5. m: 5: / pat: 10: H: 6. pars 2. m: 15: / Rot. pardoñ. 15. H: 6 m: 25. et 27 / fiñ 26. H: 6. m: 2: / claus: 35. H: 6. pars: 1. m: 1. et pars. 2 m. 11: / fin: 37 H: 6. m. 1: / fin: 39. H: 6. m. 1. et 4: / fin: 49: H: 6. m: 4: / claus. 7. E: 4. m. 1: / pardon. 16. E: 4. m. 3. / claus: 5. R: 2. pars. 2. m. 27. / claus: 21 R: 2. m. 10. in dorſo. / claus. 8. E: 1. m: 8. / Brevia regis. 13. E: 3. pars: 2. / Efchaet 33. E: 1. n^o 206: et 2 E: 2. n^o 56 et, 112. et 14. E: 2. n^o 97: et. 15. E: 2. n^o 60: et 17 E: 3. n^o 8. et. 7. R: 2. n. /

Aug: chart: fo:
 3. 40. 41. 42.
 diuers: cartæ in
 Caſtro de Berkeley.
 Rot: pip: temp. H. 2.
 et R: 1.

Liber feod mīl in
 Scōio. Rot: pip:
 6. R: 1. in arce
 londini: et al:

3. **Robert** the third ſonne of this Lord Robert, is often written, Robertus filius Roberti, filij Hardingi, And ſometymes Robertus iuvenis (not iunior) but moſt comonly Robertus de Were, and Robert Lord of Were.

From his father, for his portion, hee had at ſeueral tymes by ſeverall conveyances, the Caſtle and Manor of Beverſton, the Manor of Weſton at Kingſweſton, the Manors of Aylberton, Over, Radewike, and Northwike, and other lands in the County of Glouc :

And

And the Towne and Manor of Were neere Axbridge in the County of Somersfett, from whence hee took his vsuall appellation, of **Lord** of Were, the grant whereof was confirmed vnto him by King Henry the second, and after by John Earle Moreton, before hee was King.

Cartæ in Castro de Berkeley.

And also had the Manors of Berewe and Inglecumbe in the said County of Somersfett, wherein hee after obtayned of the fayd Earle John, to have two parkes with Deere leapes into them, and free warren, because they were within the limits of his Forrest.

Cartæ in Castro de Berkeley.

And had also the Manors of Powlet, ywis, Cantokesfed, Schochland in the same Countye. |

Claus. 15. H. 3. m. 13. Carl. in Castro de Berk. rot. pip. 6. R. 1 in arce london: duæ cartæ in Castro de Berkeley

And had also the three hundreds of Portbury, Bedminster & Hareclyve in the same County, which his fayd father purchasod of y^e Earle of Glouc., To hold to him under a marke rent per Annũ.

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Also this Robert had more from his father, the church of S^t Nicholas by Bristoll, and diuers lands there, and diuers other Manors and lands in the foresaid Countyes.

Aug. chart: predict:

And from King Henry the second hee had the Towne and Castle of Malmesbury in Wiltshire withall the lands and hundreds to the Towne and Castle belonging, To hold at the rent of xiiij^{li} x^s for which hee payd one hundred markes in silver, fayth the tres patent^r.

tre patent. in Castro de Berkeley

By many passages it appeareth, That this Robert lyved in great reputacõn litle inferior to his elder brother the lord Maurice, and was attended with knights and other fervants, of eminent families and estimacõn **And** that hee was a Baron and peere of the Realme, the pype Rolle of 33. H. 2 doth sufficiently intimate vnto vs; where (as in some other yeares) vnder the title of Scutagium baronum, hee payd one hundred shillings escuage, because hee then went not with the Kinge in his Army against the welsh with other Barons, accordinge to the tenure of the lands hee foe held of the Kinge; which dignitie also descended to Mawrice de Gant his sonne, as after followeth.

Aug. chart: predict fo: 39:

Rot. pipæ in Scõio 33. H. 2. et al:

To the monastery of S^t Augustines, both at the tyme of his Fathers first foundinge thereof, and afterwards, this Robert was a liberall benefactor, giving thereto the said Church of S^t Nicholas, and divers landes and rents in Bristowe, Pawlet and other places, besides what hath before bene mentioned.

Aug. chart: fo: 39. 40. 41. 42. 43.

Rot : pip : 28 :
29 : et 30. H : 2
in Scēcio :

The pipe rolls of 28. 29. and 30. H : 2. haue thus of him, Robertus filius Robti filij Hardingi, reddit compū de quingenī marcis et vñ cuppa aurea prec. 40. marcaſ pro habenda filia Robti de Gant (viʒ) Robert the ſonne of Robert ſonne of Harding hath payd 500 markes and a Cup of gold of forty markes price, for the wardſhip of the daughter of Robert de Gant :

Rot : pip : 6. 7. 8.
9 : R : 1 in Scēcio
et in arce london

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in Co : Glouc :

Rot : pip : 5. 6.

R : 1. in Co :

Eborā dorſo.

And the pipe rolls in 6. 7. 8. et 9. R : 1. ſhewe that hee payd threeſcore ſikes for not goeing with the Kings Army into Normandy, which money hanged in | proces many yeares in the tyme of King John before it was diſcharged ; And in the fifth and ſixth of Richard the firſt, payd thirty three markes pro habenda terra Aliciæ Paynell, to haue the lands of Alice Paynell, which I thinke was a purchaſe hee made in yorkeſhire.

Pat : 15. E. 1. m :

15. rot. claus : 14.

H : 3. m : 2. et 15.

H : 3. m : 13. 20.

Rot. fin. 14 : H :

3. ps. 1. m. 1. et

15. H : 3. pars 1.

m : 8.

Rot : cart : 16.

Johis m :

plita Mich : 14.

et 15. H : 3.

Carta in Caſtro de

Berk. Claus : 15.

H : 3. m : 20. rot.

pip : 15 : 18 H : 3 :

Rot : cart : 41. H :

3 pat : 15. E : 1 :

m : 15. claus : 27.

E : 1. m : 14 pat.

27 E : 1 in dorſo.

Cartæ 6 : E : 2. m :

4. Rot. fin. 19. E :

1. m : 16.

Rot. fin : 16. H : 3.

pars. 1. m : 2.

Rot. pip. 15. 16.

H : 3 in Scēcio.

Claus : 7. H : 3.

m : 3 in dorſo.

Claus. 5 : H : 3

pars 2 m : 17 in

dorſo.

Aug. chart fo : 41.

Rot fin : 16. H : 3.

pars. 1. m : 3.

cart : 16. Johis.

Rot : pip : 15 Johis.

et 5. et 9. H : 3.

in Scēcio :

Hee maryed Hawiſa de Gurney a great lady and very remarkeable in her tyme, by whom hee had iſſue Mawrice, called Mawrice de Gant, and Eve called Eva de Gurney, Maurice de Gant marryed Margaret Somery who ſuruived her husband, and dyed without iſſue in the xiiijth of Henry the third, And leaſt his Manors of Beverſton, Kingſweſton, Over, Radewike, Northwike, Aylberton, Were and others to diſcend to Robert de Gurney his ſaid ſiſters ſonne and heire ; And reconveyed his three hundreds of Portbury, Bedmiſter, and Hareclyve to Thomas Lord Berkeley his Cozen and his heires, as in his life appeares.

This Maurice de Gant founded the faire hoſpittall of S^t Marke of Billſwike by Briſtoll (nowe called S^t Auguſtines greene) neere to his Grandfathers Monaſtery, endowing it with ample poſſeſſions, whoſe honorable memorialls are there yet preſerved.

And that this Mawrice alſo was a Baron and a peere of the Realme after the death of his father Robert, the hundred pound releefe payd by his nephewe and heire Robert de Gurnay after the death of this Mawrice his vnkle, beſides other marginall proofs, doe as fully intimate as before in his fathers, which dignity alſo remayned to his poſteritye as followeth.

Eve ſiſter of the ſaid Maurice de Gant, and the onely daughter of her Father was firſt marryed to Gurnay by whom ſhee had iſſue Robert de Gurnay, And after was remarryed to Thomas ſonne of William ſonne of John de Harpetree, Againſt which William ſhee in the fifteenth of King John recouered the Manor of Ferenton in Dower.

Shee gave alſo (amongſt other things) halfe an hide of land in Ferneberg to her grandfathers Monaſtery : Shee in ſome Deeds ſtiled herſelfe by the name of Eve

Eve daughter of Robert iuvenis, And in some other, Eve daughter of Robert sonne of Robert sonne of Harding, And dyed about the latter end of y^e raigne of King John. |

Trin: rec: in banco
15: Joliis. rot. 19.
in dorfo Somerfet.

Robert de Gurnay was not onely sonne and heire of the said Eve, but also heire to Maurice de Gant his vnclē, And also grandchilde and heire to the said William sonne of John de Harpetre, possesseinge all their lands before mentioned and many others, And had. 21. knights ffees in the Counties of Somerfett and Glouc: as the roll of 47. H: 3. shewes, **Hee** maryed Hawisia de longo campo, by whom hee had issue Anfelme de Gurnay, And dyed in the liijth of Henry the third; In which yeare also after her husband dyed the said Hawisia. **This** Robert de Gurnay had a yonger brother called Hugh de Gurnay of great estimation with King Richard the first, as the grants to him made, declare; To whome came the Inheritance of divers mannors and lands after the death of Mawrice de Gant his vnclē, from whome by Lucia his wife proceeded divers issues of remarkeablenes in their generations.

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Rot: fin: 16. H: 3.
pars: 1. m: 2. 3.
Rot: pip: 2. 5. 9.
H: 3 in Scēio.
Claus: 47. H: 3.
Claus. 53. H: 3
pars. 1. m: 5.
Fin: 53. H. 3 pars.
1. m: 7.
Claus: 15. H: 3. m:
20. Cart: 25. H: 3.
pat: 5. E: 3. ps.
2. dorfo.
Efschaet. 53. H: 3.
n^o: 23.
Antiquæ cartæ in
tra. p.

The said Anfelme de Gurnay sonne and heire of the said Robert, held by descēnt from his father the foresayd Manors of Beverston, Kingeweston, Over, Aylberton &c. The Advowson of S^t Markes hospitall &c., and And many other great possessions in the countyes of Glouc. Somerfett, Dorfett, and Wiltesh.; And was also a Baron, And accordingly payde one hundred pownd in the five and fiftieth of Henry the third for his Fathers reeleefe, And by Sibell his wife had issue John de Gurnay and Thomas de Gurnaye, whose grandchilde Thomas de Gurnay was the murtherer of King Edward the second in Berkeley Castle, as will be written in the life of Thomas the Third And dyed in the xiiijth of Edward the first; **Sibill** surviued, And after dyed towards the end of that Kinge, Hee hauinge a little before in the same yeare wherein hee dyed, aliyened the Advowson of y^e Church of Beverston to the Abbott of S^t Peters of Glouc.; As in my description of the hundred of Berkeley more largely is delivered; **Of which** Anfelme more is after to bee read in the life of Mawrice Berkeley the second, touchinge a suite that fell out betweene them for Jurisdiction in the sayd Mannors of Beverston, Ailberton, & Kingeweston within the hundred of Berkeley. |

Efschaet. post mort:
Anfel: de Gurnay.
14. E. 1. [No. 11]
fine roll. 53. H: 3.
pars. 1. m: 7. et
14. 15. E: 1. m: 17.
Rot. pip. 55. H:
3. Pat: 13. E: 3.
pars: 2 in dorfo.
Rot. Scutag: 10:
E: 1. Pat: 14. E:
1. m: 17.
Claus: 14. E: 3.
pars 1. m: 18: 19:

fol: [99]

The sayd John de Gurnay sonne and heire of Anfelme was twenty yeares old at the death of his father, And after maryed with Oliva, and dyed in the Nyneteenth of y^e sayd Kinge within five yeares after his father, leauinge Elizabeth his onely daughter and heire, and in the xxiiijth of that kinge, died the sayd Oliva.

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Rot: fin: 19: E:
1. m: 16: 17.
Rot: fin: 15. E: 1.
m: 17.
Rot: fin: 24. E: 1.

The

Rot: fin: 5. E: 2
m. 16. et 18.
Claus. 18. E: 2 m: 1.
Claus. 19. E: 2 dor.
Claus. 3: E: 3 dor.
Pat: 5. E: 2 ps.
1. m: 15.
Claus. 18. E: 2.
m: 1.

The saide Elizabeth was maryed to S^r John Ap-Adam sonne of Reginald, which John dyed in the fifth of Edward the second, leavinge issue by his wife, Thomas ap-Adam knight within age, whose wardship for body and lands, was, for 2500 markes granted by the kinge to Hugh le Despenser, And after vpon a refump- tion, granted for . 6000 markes to Raph de Monthermer, which Thomas comeing to full age, fued his liuery in y^e Eighteenth of that Kinge for his Fathers landes discended vpon him in the Countyes of Wiltes, Southton, Oxon, Berks, Bedford, and Buckingham.

Pat: 5. E: 3
pars: 2 in dorfo.

This S^r Thomas Ap-Adam maryed Margery, betweene whom was foe litle love, That in the fifth of King Edward the third, hee complayned in Chancery, That Thomas the sonne and heire of Hugh de Gurnay and others, had stollen her away from him at Beuerston, and with her divers of his goods and chattels, And thereupon had a Comission out of that Court to enquire thereof.

pat. 4: E: 3.
pars: 1. m: 32.

Duringe which discontent, hee sould in the fourth of that Kinge, to Thomas the third then Lord Berkeley, the said Castle and Manor of Beverston, and the Manor of Over in the County of Glouc: and the Manor of Monewedon in the County of Suffolke.

Carta in Castro
de Berkeley.

And at the same tyme (but a daye betweene) sold to Mawrice de Berkeley the said lords second brother, the Manors of Kingesweston, and Aylberton, as in their lives is more largely to bee read.

And thus returned theis Manors and Castle of Beuerstone &c. into the eldest line of Robert fitz Harding, after . 170. yeares possession in the issues of this third sonne Robert de Were, which I haue the more largely pursued by invincible matters of Record, and Deedes, omni exceptione maiores, for that some old Pedegrees gathered in the tyme of Henry the sixt, resting in the Castle of Berkeley, would without any warrant, obtrude vpon vs, That the issue of the sayd Robert de Were ended | in Eve his daughter, which is utterly vntrue, And I shall take occasion in their relations to deduce downe the issues of this S^r Thomas Ap-Adam also untill this day as I have in Nicholas his brother.

Newl: ped: et 2.
at: in Castro
de Berkeley.

4. Thomas the fourth sonne of this Lord Robert, was a clergy man, and Archdeacon of Worcester, And as I conceive, dyed before his midle age.

Aug: chart: fo: 17
et: 33.

5. Henry the fifth sonne, was also a clergy man, and Archdeacon of Exceter, as before is said, And was also Treasurer to the said Henry Duke of Normandy And

it

it is not vnworthy the obseruinge, That in his youth hee was by Richard the first Abbot of S^t Augustines, shortly after the first dedication of that Monastry presented to the churches of Berkeley, Wotton, Beverston, Almondbury, Ahelworth and Chromale, and to all other the Churches of the Honor of Berkeleye: which presentacōn of y^e Abbot, this Lord Robert his Father by his Deed confirmed; Hee was also a witnes to the two first Charters which Henry the second made to his Father Robert, as before appeareth: which shewe him also to bee then Treasorer to that King.¹

duæ Cartæ in
Castro de
Berkeley.
Honor de
Berkeley.

6. **Helena** eldest daughter of this Lord Robert, was accordinge to the sayd agreem^t at Bristoll maryed to Robertt sonne and heire of the sayd Roger of Berkeley in the tyme of Kinge Henrye the second at her fathers houe in Bristowe, **Shce** brought to her husband (amongst other) the Manor of Duresley in fee as part of her marriage portion, **And**, for her dower, had assigned, by her husbands Father, the Manors of Sifton accordinge to the said Articles of Agreement. **Which** Robert and Helena had issue Roger, who by Hawisia his first wife had issue **Henry**, which Henry by Agnes his wife had issue **John**, which John by | Sibill his wife had issue **Henry**, which (Henry by Jone his wife had issue **William**, **John** and **Henry**;² which John maryed Hawisia, but died without issue, leavinge the sayd Henry his brother and heire;)³ which Henry had issue **John**, which John by Hawisia his wife had issue Nicholas and Mawd: Nicholas maryed Cicely sifter and heire of S^t John de la More sonne of William de la More of Bitton, And after the said Nicholas Berkeley dyed

Carta in Castro
de Berkeley.
Robt de Ricart.

Carta in Castro
de Berkeley.

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¹ He was also Dean of Moretain, and was elected Archbishop of Dol, and died at Rome in August 1188, whither he had gone for Consecration. (Eyton's "Itinerary of Henry II." p. 291) [Ed.]

² Smyth is inaccurate here. William was born Sept. 1269; had Seizin of Dursley 19 Edw. I. (Calendarium Genealogicum p. 756.) died 28 Edw. I. 1300. in which year his writ *diem Clausit Extremum* was issued. (Rot. Orig. 28. Edw. I. m. 7.) The custody of the Manor of Dursley was granted by the King to John Buteturte until the legal age of the heir of the said William (Id. 29. Edw. I. m. 7.) He left two sons. John the eldest marr. circa 7 Edw. II. 1313 (Ped. Fin. Divers Co^o 7 Edw. II. No. 84) Hawisia dau. of Thomas de Tinworth of Bratton near Okehampton, Co. Dev. (Pole's Coll. for Devon, pp. 346. 7) She died s. p. before Michs. 19 Edw. II. 1325. (Plta Coram Rege, Pasche 6 Edw. III. m. 104) John de Berkeley did homage for his lands 15 Aug. 8 Edw. II. 1315. (Rot. Marefc. 8 Edw. II. m. 9. dors.) and died s. p. 10 Edw. II. 1316. 7, in which year his writ *diem Clausit Extremum* was issued. (Rot. Orig. 10 Edw. II. m. 3) but the Inquisition taken thereupon is not extant. He was succeeded by Henry his brother and heir who was under age in 1318. (Rot. Orig. 12 Edw. II. m. 8.) who died 1334, leaving John his son and heir. (Esch. 8 Edw. III. 2nd. No^o No. 13.) [Ed.]

³ In the transcript, or fair copy, presented by Smyth to George Lord Berkeley, and which hereafter we shall cite as the "Berkeley Copy," the passage we have placed within brackets reads:—"Henry by Jone his wife had issue William, John, and Henry, which William and John died without issue leaving the said Henry their brother and heire." [Ed.]

dyed without issue in the sixth of Richard the second, Anno. 1382: In whom ended all the issue male of the sayd Roger de Berkeley lord of Duresly, with whom this lord Robert sitz Harding had the contention, and agreement, as is afore said: In which eight discents from him, the said Manor of Duresly and almost all the other Manors formly mentioned, whereof hee was then possessed, had contynued, which nowe came to the sayd Mawd sifter and heire to the said Nicholas Berkeley, who was maryed to Robert de Cantelo, by whom shee had issue Robertt de Cantelo, who leaft issue Elizabeth his only daughter and heire marryed to Richard Chedder, which Richard and Elizabeth in the thirteenth yeare of Henry the fourth Anno. 1420.¹ fold to Thomas lord Berkeley the fourth of that name (as followeth in his life) the Advowson of the Abbathy of Kingeswood, whereof Wiltm de Berkeley lord of Dursely father of the said Roger was Founder, which in this antient Saxon family² had likewise contynued till this tyme.

Berkeley of
Coburley.

68

Domesday booke.

And in the sixth yeare of Henry the fourth, Anno 1404 twoe and twenty yeares after the death of the said Nicholas de Berkeley by the death of S^r Thomas Berkeley of Coberly, ended also all the male posterity of that antient yonger branch of theis Berkeleys of Durfeley, who had longe contynued in great reputacōn and remarkeablenes in this County of Glouc: and of Worcester, and were distinguished from the former Berkeleys of Durfeley by the name of the Berkeleyes of Coburly, which nowe fell into the family of Brugge ats Bridges by the mariage of Alice second daughter and co-heire of the said S^r Thomas de Berkeley of whome the nowe Lord | Chandois of Sudeley Castle is discented, whose discent from the said S^r Thomas de Berkeley here to lay downe is besides my purpose, As not discented from this Helene, for that the said S^r Thomas Berkeley of Coburley was sonne of S^r Thomas, sonne of Giles, brother and heire of Nicholas, sonnes of Giles, sonne of Robert, sonne of William, sonns of William, sonn of Raph mentioned with Roger of Dursely his brother in the booke of Domesday, and who lived in the tyme of King Edward the Confessor, And which Roger was father of the said William that founded the sayd Abby of Kingeswood, father of Roger that liued in the tyme of King Steephen, father of Robert that maryed this Helena, as is before said; which Helena dyed the xijth of January about the tenth of the raigne of King John.

Nowe

¹ In the "Berkeley Copy" this date stands 1410, but neither of them can be exact if the regnal year is correctly stated, for as the reign of Henry IV. commenced on 30 Sep., 1399, his 13th year would begin on 30 September, 1411. [ED.]

² Mr. A. S. Ellis has given good reason for doubting the Saxon descent of these more ancient Berkeleys. See his "Domesday Tenants of Gloucestershire" (Trans. Bristol and Gloucestersh. Archæol. Soc. vol iv. p. 145 et seq.) [ED.]

Nowe for prooffe of all the forefayd difcents of the Berkeleys of Durfely, take theis, too many for the Margent hereof, **which** likewife will manifett many various accidents, which fince the Norman Conqueft, befell that family in the length of 315. yeares, whileft the iffue male did laft, viz: Domesday booke: Red booke in the Excheq. fo : 109 : / Rot pipæ. 1. H : 2. et. 17 H : 2 : / et 2. 7. 8 R : 1. / et. 1. 9. 17 Johis : / Aug: chart : fo : 54. 55 : / Rot. pipæ. 2. 3. 4. 11. 12. H : 3. / Rot. claus : 5 H : 3. pars. 1. m : 2. / et 11. H : 3. pars. 1. m : 12 : / et 11 : H : 3. pars 3. m : 1. / et 21. H : 3. m : 13 : / et 29 : H : 3. m. 9. et. 19 : E : 1 : m : 9 : / et 8. E : 3. m : 13 : / et 23. E : 3. m : 8. / et 17 R : 2. m : 29 : / et 21. R : 2. pars 1. m. 4. et. 8 : / Liber nominū. villañ. 9. E : 2. in Scēio : / Rot. fin. 30 H : 3. m : 13. et 28. E : 1. m : 10. et 23. E : 3 m. : et 24 E : 3. m : 49 : et. 9. R : 2 : m : 3. / Rot. paten. 30. H : 3. m : et 19. R : 2. in dorfo : / et 3. E : 4. m : 20. / Fines in banco Coñ 33. H : 3. et 15. E : 3. / plita in banco Trin : 4. H : 3 rot. 16. et Pafch. 26 H : 3. rot. 1. / et Mich : 33 : et. 34. H : 3. rot : 25 : / et Mich : 34. et 35. H : 3. rot : 9.

And the Inquifitions in the County of Glouc. found after moft of theire deaths, which I omit, becaufe they are calendred in the Tower, and obvious to every ordinary eye.

And for prooffe of all the forefayd difcents of that yonger branch of the Berkeleys of Coburly, take theis, too many alfo for the margent hereof, | which likewife will manifett many other variable accidents, which fince the Norman Conqueft befell this branch in the length of 337. yeares, As alfo of many yonger brothers and Nephewes of both families whileft iffue male did laft, which nowe are all fpent and gone, As pat : 3. E : 4. m : 20 : / Rot. pipæ. 12. 13. 14. 15. 16. Johis in Scēio : / claus 16. Johis. pars. 1. et 2 : et 27 H : 3 : / pat. 38. H : 3. pars 2. m. 2. et. 6. / pat. 39. H : 3. / pat. 16. H : 3 : m : 4. / pat. 23. H : 3. m. / claus : 15. H : 3. m. / et 47. H : 3 m : 13 : / fine. 47. H : 3. m. 10. / Finis in banco. 10. E : 2 : / Rot : Fin : 6. H : 4. m. 9 : / Rot. claus. 8. H : 6. m : vltima / Together with the Offices in the Countyes of Glouc : and Worcefter, found after many of their deaths, here by mee omitted for the caufe aforefayd.

Berkeley of
Coburley.
69

And to fatisfy this noble family of the Berkeleys of Berkeley Caſtle, touchinge the iffue generall of this of Durfely, (It fell from the forefayd Elizabeth wife of Richard Chedder into the name of Wike ats Wikes, who contynned owners of Durfely till the Nynth year of Queene Elizabeth in which yeare that Mannor by M^r Wikes was aliened in ffee to Edmund Woolworth ats Webbe.¹) And is in this yeare.

Berkeley of
Durfely

1624. the

¹ In the "Berkeley Copy" this paſſage reads :—"It fell by difcent from the forefayd Elizabeth wife of Richard Chedder unto Thomas Wyke ats Wikes, who died 13 Edw. IV., father of John, father of

1624. the inheritance of S^r Tho: Estcourt, And that family of Wike, live in obscure poverty; And (to shewe what the hand of heaven worketh amongst the sonnes of men and princes) I haue diuers tymes within. 26 yeares past, beheld [the said Robert] Wike (the heire of this antient line) then not more old then poore, in Chancery lane, and in Fleet street London, picking up the shreds of rags cast into the street^e from the sweeping^e of Taylors and Seamsters shopps, to get thereby a farthing token for his Sustenance, (somewhat harsh to be written by mee) when my selfe and others then in company, knowinge his honorable discent, and seeing his present condic^on, haue given him six pence or twelve pence from amongst us, concealinge our selues, and eake our knowledges of him; Howbeit (conscious of his Ancestors, and discent, and of the mount from whence he was tumbled downe) hee would never begg of any, for ought I could ever see or learne. **And** theis vouchers of Records followinge, will fully prove all the discents from the said Elizabeth Chedder to the said old and poore M^r Wike. viz^t patent. 10. H: 6. m: 10. / pat: 11. H 6. m: 24: / pat: 24. H: 6. pars. 2. m. 17: / Rot. pardon. 1. E: 4. m. 42: / pat. 13. E: 4: pars. 2, m: 5: / Michas Fin.: 16. H: 8. 2. / Together with the Offices after theire severall deatthes, callendred in the Chappell of the Rolls in Channcery Lane obvious (as before I sayd) to the eye of every ordinary searcher.

Kingescote of
Kingescote.

Cartæ cū Antho-
nio Kingescote.
Claus. 1 H. 3 m. 14.

Carta cum Riço
Bridges deCombe.
Fines: in banco.
25. H: 3 from
Richard fil: Adæ
of 2 yard land in
Combe to walter
fil: Agathæ.
diversæ cartæ cū
Antho: Kingescote.
Reg: of Knights.
fees fo: 19.
Ward: et releefe
fo: 15.

7. **Aldena** (in some collections called Alditha but erroneously) yongest daughter of this lord Robert, was marryed in the tyme of Henry the second also, to Nigell of Kingescote, sonne of Arthur, then owner of divers lands in Combe in the pishe of Wotton vnderedge (which were her Joynter) and one of the eight pledges of this lord Robert in the agreement at Bristowe, with whom this lord Robert her father gave in marriage the manor of Kingescote neer adioyninge to Combe, To hold of him by halfe a knights ffee, which grant King Henry aforefayd confirmed, **Out** of the frutes of which mariage, came two sonnes, Adam & Robert, Adam had issue Richard, who dyed without issue after full age; **And** Robert had issue Nigell and Richard [Nigel died without issue and Richard had issue Nigel] (who tooke part with Mawrice Lord Berkeley in his rebellion against King Edward the second in the fifteenth yeare of his raigne) And hee was father of William, Father of Nicholas, father of Henry, Father of John, Father of, [William] (whoe for this Manor of Kingescote

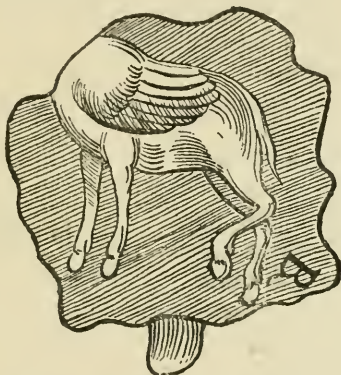
Edmund, father of Nicholas, father of John, father of Robert, who in the Nynth year of Queen Elizabeth alayned this Manor of Dursley to Richard Bird, Gent. and he to Edmund Woolworth at^s Webbe."

¹ The following are the references in this place in the "Berkeley Copy," viz.—"Patent 10 H. 6 / patent 11 H. 6. pars 1. m. 3. / Rot. pardon. 15 H. 6. m. 22. / Claus. 21 H. 6. m. 7. / Rot. pardon. 24 H. 6. m. 24 / Pat. 24 H. 6. pars. 2. m. 17 / Rot. pardon. 1 E. 4. m. 22 / Pat. 13 E. 4. pars 2. m. 5 / Mich. fin. 16 H. 8. rot. 2."

Kingescote was in ward to William Lord Berkeley in the xiiijth of Edward the fourth) And was father of William, Father of William, Father of William, [Father of William] Father of Christopher, Father of Anthonye Kingescote, that now is, who by Katherine his wife daughter of Robertt Chambers of Bath hath issue William, Christopher, Mathewe, John, Mary, Elizabeth, Jone, Anne and Hestrel. Anno: 1629: | [Still owner of this Manor of Kingescote where hee and all his ancestors have lyved till this day.]¹

His Seale

The seale which this lord Robert used both in greene and yellowe waxe hath the impresson of a knight armed and mounted as for present onfet in the warres, And is circumscribed about the ringe wth theis words. S. Rob: fil: Hard: in bredth about three inches; behold the forme in true dimension.



NOTE.—This is not the seal described by Smyth, which is not now extant, but it is a

fac simile of that which he has tricked for Robert Fitz Harding in the "Berkeley Copy." [Ed.]

His death and place of buriall

This Robert fate lord Berkeley about twenty yeares after the quiet establishment of his barony, And from the death of his Father, fifty five yeares, And dyed the fifth daye of February Anno. 1170. in the seaventeenth yeare of the raigne of King Henry the second, of whom (as Camden hath truly written) hee was entirely beloved, then beinge of the age of . 75 . yeares or thereabouts.

Hee lived to see his childrens children growne to maturity of yeares, His body was buried in the Church of S^t Auguſtines, whereof hee was founder, betweene the Stalls of the Abbot and Pryor there, and next to the Abbots stall in the entringe into the quire: by whom was after layde the body of the lady Eve his wife.

Theire

Regist: Roberti de Ricart cū maiore Britoll.

¹ The words in this paragraph included within brackets are interpolated in the "Berkeley Copy."

Of Robert and
Eve his wife:

Theire Riches were like corne, lent to the feild,
What it received, it manifold did yeald :
Theire bodies have a grave, theire vertues none
But doe with tyme growe greene, now they are gone.
Amor coniugalis aternus.

One mind, one Fayth, one hope, one grave,
In life and death, they had, and still they have. |

His lands whereof he dyed seised

72 By the death of this lord Robert, descended to Mawrice his eldest sonne, theis Manors and lands, besides Slimbridge and divers other which Mawrice enjoyed in his Fathers lyfe tyme. viz:

The manor of Portbury	} In the County of Somerset
The manor of Bedminster	
The manor of Berkeley burrowe	} In the County of Glouc :
The manor of Hame	
The manor of Alkington	
The manor of Hinton	
The manor of Hurst	
The manor of Came	
The manor of Cowley	
The manor of Simondshall	
The manor of Arlingham	
The manor of Gosington	
The manor of Vley	
The manor of Acton	
The manor of Hannam in the pisse of Bitton	}
The manor of Bray in y ^e County of Devon	

Vnles I should suppose that this Mawrice entred formerly vpon them when this lord Robert his Father entred into religion, by becoming a Chanon of this Monastery of S^t Augustines.

For all other his Manors and lands before mentioned, I conceive them to bee conveyed by the sayd lord Robert to his yonger children and theire issues.

73 Besides theis possessions, this Lord Robert leaft a greater portion, which his offspring hath enherited, By buildinge of a house to God | at Bristowe, hee established

established the foundation of his Castle at Berkeley By a cheerefull giuft of part to God, hee refumed back that giuft againe much enlarged, wittneffed by the blessing powred from heaven vpon him-felfe and his pofterity ; **Which** to bee true, hath nowe the testimony of twenty honorable generations from his owne loynes.

Of his greate worth to knowe, who seeketh more,
Must mount to Heaven, where hee is gone before.

The application and use of his life

1. **The** life of this lord deserves to have bene written in braffe, that aswell the excellency of his mind, as the nobility of his bloud, might have bene perpetuated to his pofterity, leaft iniurious tyme should have, as now for the greatest parte it hath, deprived it of due eternity: **And** it may instruct his pofterity to place god and religion in the upper roome of their hart, **Not** to bee proud or high minded, lifting vp high thoughts, when they see many, dependant vpon them, humbled in their prefence, and ready to execute what they comaund ; knowinge that honor and greatnes have their bounds, **And** that the very memory of it, may in short tyme cease amongst men, when vertu and godlines growe greene with tyme and suffer noe decay.

2. **Again**e, the life of this Lord, convinceth the vanity of those that hope to purchase an endles memoriall vnto their names, by workes proceeding rather from their greatnes, then from their vertue, which therefore are noe longer their owne, then themfelues contynue greate ; Whereas this Lord lyves in vertuous remembrance in after ages, after the death of greatnes ; A president most worthy of memoriall and imitation.

3. **Again**e from the wicked plot of Earle Godwin, whereby hee gayned a ritch booty of vnhappy treasure, that belonged to the Service of the | living God, This noble Family may observe howe small a while it remayned in the possession of that potent man, who quickly after fell into his grave ; And in fewe yeares after, howe Harold his sonne, not onely was bereaved of this land thus wickedly gotten, but of all other his possessions, with his sonnes, and their lyves to boote ; And thereby make vse, to square their desires by rules of iustice and righteous dealinge ; And to remember, That the iust God, who liveth and governeth all thinges forever, doth in this our tymes (as hee hath of old) throwe downe kingdomes and families for the same offences which were comitted of old, and are comitted in the present.

4. **Again**e, from the practice of this pious and prudent Lord, his pofterity may bee instructed, not to deferr their workes of piety, nor portions intended for
yonnger

yonnger sonnes till after death; but to see them perfitted whilest themselves are perfitt in memory and vnderstanding; And as far as may bee with Assent of the eldest, as this lord did, whereby hee preevented vnbrotherly iealousies, that often arise about partages; and leaft a fetled peace in his posterity; And when their sonnes are man-growne, foe to impart vnto them, that they may not think their parents lyves, their bondage; A fault too frequent both wth parents and children in theis tymes, which this lord, to his comfort, avoyded.

Farewell thrice blessed Lord, blessed in thy posterity, for they inherite the land thou leauest, Blessed in thy memory, for thy good deedes are had in everlastinge memory; And blessed in thy death, for thou retestest from thy labors, And thy pious workes followe thee. |

75 & 76 blank

Finis Robert the first

NOTE B. pp. 23, 24.

Belle, et Burgiet.—These terms, which occur in the first Charter of Henry Duke of Normandy &c., by which he granted to Robert Fitz Harding the Manor of Bitton and lands in the Manor of Berkeley of the value of £100, relate to franchises which are *very rarely* specifically so stated, and consequently the terms are so obscure as to render a note desirable.

The signification of the term *belle*, or bell, is, in itself, sufficiently evident, and both terms are found in "The Ancient Laws and Institutes of England." ¹ Under "Ranks" § 2 p. 81, we find that "if a Ceorl thrived so that he had fully five hides of his own land, Church and Kitchen, bell-hus and burh-geat-fetl, (*bell-house and burgh-gate-feat*) and special duty in the King's hall, then was he thenceforth of thane-right worthy."

Berkeley is a very ancient borough, if not by prescription, and we do not find any burgesse mentioned in Domesday, it would seem to be recognized as such in the franchises specified by the terms under consideration. Burgiet is doubtless equivalent to Burh-geat, *burgata*—a town-gate, and we consider the franchise under this term consisted of the power to have a town-gate and the privilege of closing it, at pleasure, for defence or exclusion; and that the *bell* was a *Common-bell* to call the burgesse together when circumstances demanded it. *Common Bells* still exist in various boroughs. At Chester—At Shrewsbury in the reign of Henry VI some Ordinances were referred to by which it was directed that the Commons, assembled together on the ringing of the *Common-bell*, should choose the burgesse to be sent to Parliament. At Monmouth a court is held on the ringing of the *Town-bell* for the same purpose. Wallingford may also be mentioned, ² and we believe the same practice exists, or did exist, at Bristol. The terms are not repeated in the subsequent Charter by which Henry granted to Robert Fitz Harding the whole Manor of Berkeley and Berkeley-Herneffe, but the franchises were doubtless included in the liberties and customs which existed in the time of King Henry I. as granted in that Charter. In this Charter we have, however, another unusual word in *Marcheium*. This is doubtless equivalent to "mercatum," as shewn in the context. Du Cange gives the same word as *Marcheyum* and "mercatum" as its equivalent.

¹ Edited by B. Thorpe, and printed by the Record Commission in 1840.

² See Stephens's History of Boroughs.

The Life of Maurice the First

77

The Life of Maurice lord Berkeley the first of that name, stiled in writings, Mauriç filius Roberti; and Mauricius filius Roberti, filij Hardingi; and Maur de Berct; and Mauricius de Berkelei; and dñs Mauricius de Berket; And was the first that had the surname of Berkeley, or de Berkeley.

And may bee called, Maurice the make peace

Contemporary with part of King Henry the second, from the yeare . 1170 . to the yeare 1189.

Whose life I deliver to his posterity, vnder theis thirtene titles . viz!

Rot. pipæ temp.
H : 2 : et. R : 1.
diuerſæ cartæ in
Castro de Berkeley.

- 1.—**His** birth and education. fol : 78 :
- 2.—The confirmations of the Manor and barony }
of Berkeley made to him } fol : 78 . 79.
- 3.—**His** liberality to the Abby of S^t Augustins . fol : 80.
- 4.—**The** same Abbot^e ingratitude to him . fol : 80.
- 5.—Berkeley Castle becomes this lords dwelling house }
and the name changeth from Harding to Berkeley } fol : 83.
- 6.—**His** Almes and devotions, fol : 83.
- 7.—**His** foundinge the hospitall of Longbridge neere Berkeley. fol : 84.
- 8.—**His** wife, fol : 87.
- 9.—**His** issue, fol : 89.
- 10.—**His** seale of Armes, fol : 91.
- 11.—**His** death and place of buriall, fol : 92.
- 12.—**The** lands whereof he dyed seased . fol : 92.
- 13.—**The** application and use of his life . fol : 93.

His

His birth and education.

Antig : manuscript
Aug : chart : in
castro de Berkeley.

Hollingsh : fol : 55
et postea :

This Lord Maurice was borne in Bristoll not long after the death of Harding his Grandfather ; bred up with his father the lord Robert in his great stone house built by him upon the bank of the River of Frome there, where hee spent part of his life after his Fathers death : Age, tyme, place, occasion, affection of parents, and other circumstances, soe iumply¹ concurre, that I seeme warranted to say, That when that kinge, then not Duke, followed his mother the Emparice in the viijth yeare of king Stephen into England, and was for his education settled at Bristoll for fower yeares vnder one Mathewe his Schoolmaster, That if hee and this Maurice were not schollers together vnder the same master, yet upon the Dukes second abode there for two yeares more in the fowerteenth and fifteenth of King Stephen, there were many affectionate relations and passages betweene them, which relished to this lord's issue also, as after followeth : **Times** wherein Maiesty was free from pride, and humility held to bee the highest honor.

Not longe after the death of his Father, about the eighteenth of Kinge Henry the second, this lord obtayneth of that kinge a confirmation of his Manor of Berkeley and of all Berkeley heresse, which for the finall fastninge of this noble cornerstone, whereupon their barony is built, I will out of the Deed it selfe, set downe verbatim.

Carta in Castro
de Berkeley.
plata de quo warr.
Pasch : 15. E : 1.
rot : 12.

H : **di** **grā** rex Angl et Dux Normā et Aquit et Com And, omibz Archiep̄is, Ep̄is, Abbibz, consulibz, vicecom̄, baronibz, Justic̄, et oibz suis fidelibz, francis, et Anglicis, Sal. **Sciatis** me dedisse et concessisse Mauritio filio Rodb̄ti filij Har̄ et hereditibz suis, Berkelai et totam Berkelai Heresse quam donavi p̄ri suo in feodo et hereditate pro suo magno servitio, maneriū, sc̄t, cū oibz appendicijs suis plenē et integrē sic erat in t̄pre Henrici reḡ avi mei ; Tenendū in feod et hereditate sibi et hered̄ suis, de me et de hered̄ meis, per serviç quinque militū. Et accepi pro ista sup̄dicta donatione p̄d̄cte terre, homagiū Mauricij filij Rodb̄ti filij Har̄ Quare volo et firmiter præcipio vt Mauricius | et heredes sui p̄dic̄m maneriū et oia pertinentia sua in eccl̄ijs, in nemoribz, in planis, in pascuis, in terris, in aquis, in vijs, in semitis, et in placitis, et in oibz rebus et eventibus, teneant et imppetuū h̄eant libe quietē

¹ Nicely, Exactly. See Halliwell. [Ed.]

et honorificē cū Tol, et Them, et Soch et Sach, et infankenethē, cū oībus libertatibus et libis consuetudinibz suis et quietantijs que ibi fuerunt in t̃p̃re Henrici regis avi mei ; Et preterea dedi et concessi eis h̃ere in sup̃dicto manerio, liberū marchēū cū oībus libertatibz que ad marchēū pertinent quacunque die Septimane voluerint, et monetum cū proprio monetario suo. T. Ricardo Abbe S̃ci Augustini de Bristow, Reginaldo Comite Cornubie, Rogero Comite Hereford, Ricardo de Humez Constabulario, Manafero Bifeth Dapifero, Willmo filio Hamundi, Guarino filio Geroldi Robto de Saltmareis. Wherein note that the words dedi et concessi, imlye noe more in this place, then confirmavi, a confirminge of a former, and noe newe grant, as sometymes also fundavi and fundator denote a benefactor onely or confirmer of an others Act and guift, as after will appeare ; neither did he pay any thinge to the kinge for this confirmation, that can bee found in the great roll of the pipe or elfewhere, but obtayned the fame vpon the doinge of his homage.

The like confirmation this lord had a little before his death dated the thirtieth day of Octob^r in the first of King Richard the first, made by Queene Alienor mother to that King, And in his then absence Regent of the land, To hold in baronia of King Richard her sonne by the Service of five knights fees, for which this lord payd one thousand mikes, The entry whereof in the great roll of the pipe is: Mauricius de Bercheley debet 1000 marcas pro fine terre sue, et pro confirmacōe dñi Regis habenda ; Maurice de Bercheley owes 1000 markes for the fine of his land and the Kings confirmaçōn : **which** in the next yeare is all payd.

baronia
Cart : in Castro
de Berkeley.
Rot : pip : in 2. et 3.
R : 1. in Sc̃cio
Glouc :

Havinge thus settled his estate, hee confirmeth to his two yonger bretheren Nicholas and Robertt and to their heires, by his feuerall Deedes, such partē of his said Manor of Berkeley as his father the lord Robert had severally given unto them. viz: To Nicholas the manors of Hill and Nimpsfeild and to Robt the Manors of Beuerston and Kingefweston, as before in the relation of theire lyves is touched ; And the like confirmation hee made to Adam de Kingescote his nephewe ; sonne | and heire to his sister Aldena, of y^e Manor of Kingescote given to her in Fee Simple vpon her mariage with Nigell father of the fayd Adam, as formerly is mentioned.

Cartæ in castro
de Berkeley.

carta cū Anthonis
Kingescote de
Kingescote :

80

See fol : [70]

And about the same tyme, grants and confirmes to his men and Tenants of Radclifstreet, all such customes and liberties which they had in the tyme of his father, And which his father by his deed confirmed vnto them, whereto the fayd Nigell the sonne of Arthure, and Adam his sonne, are witneses.

Carta cum Robto
Chambers de
Bath :

Carta in Castro
de Berkeley.

Aug: chart: fol: 34.
35. in Castro
de Berkeley.

Aug: chart: fo: 36.

Robt de Ricart
cum Maiore
Bristoll:

This Maurice in the day of the dedication of his fathers said church and Monastery of S^t Augustine, layeth meekly downe vpon the altar, his deed, whereby hee also (aswell as the rest of his bretheren) gaue to god and S^t Augustine the English Apostle, (in dotem) towards the sayde churches mariage portion (they are the very words) in presence of the sower Bishops of Worcester, Exeter, Landaph, and S^t Asaph, one hide of land at Hinton in the parish of Berkeley: **And** afterwards, gave more to the Abbott and Covent of the fame Monastery, one yard land at Alkinton, and one other at Oldminstre in Hinton aforesayd, and diuers other lands in other of his Manors, which at this day are worth . 200^l. per Anⁿ. **Al** which hee also, by his Deed nowe confirmeth vnto them, as forimly hee had to his two brothers and Nephewe: **And** also by his other Deede confirmeth to the sayd Church of S^t Augustines (quam dñs pater fuus ad honorem dei fundavit) which his lord father to the honor of god had founded) all whatsoever his father had given to them in Berkeley Herneffe, Almondesbury, Horefeild, Effelworth, Chromale, and other places when hee became a Chanon of y^e sayd Monastery.

The Abbots ingratitude

81

Notwithstandinge which and many other ritche and liberall almes, given to that Monastery (for all lands were was allwayes given vnto them in puram elemosinam) when this lord Maurice had shortly after somewhat enlardged his Castle of Berkeley, and had for the better fortification thereof, by making of a ditche on the North side, cut a little of the ground|of the Church yard, belonging to the Church of Berkeley (which on that part adioyneth; the Abbott and Covent soe pursued him by ecclesiasticall censures, (as though the offence had bene inexpressible); the merits of his Father, himselfe, and bretheren towards them quite forgotten) That they make himself to cast durt vpon his owne face, and like a schoolboy by his Deed to faye, That pro emendatione culpæ meæ de fossato quod feci de cimeterio de Berkeley circa castellum meum, for redemption & pardoning of my offence comitted by mee vpon the Church yard of Berkeley in making the ditch about my Castle, I doe give vnto the Church of Berkeley five shillings rent for euer issuing out of my mill under my Castle, And I give also to the said Abbot and Monastery for ever (being patrons of the said Church) the Tythes of the pawnage¹ of my Chace of Michaelwood, and of Appleridge, and of Okeley, and of Wotton parkes, and pasture for as many of their oxen as will till one plowe land, to feed with such of myne as doe till my demefne lands, in pure and perpetuall Almes for ever. **Which** ingratefull returne, this lord soe deeply tooke to hart, **That** hee never after looked fairely vpon the said Abbot and Covent, nor conferred any benefits vpon them, neither would bee

The Antiquity of
the Towne mill.
Aug: chart: fo: 35
in Castro de
Berkeley.
Carta cum decano
Bristoll in the
Chapter house.

¹ Pannage, Pannagium, that is food for swine such as beech-mast and acorns. [ED.]

bee buried within their Monastery, nor haue any Aniverfary there celebrated, or other devotions for his foule done amongst them.

Let mee have leaue a litle to digrefse, **The** tythes of Wotton parke, and woods, in the forementioned deed, are not, nor at any tyme were in Berkeley parish, but in the parish of Wotton, as antient a parish as Berkeley, and honored with as many Chappels belonging to it, **That** none were payde before this grant of the thinges therein contayned, the Deed it selfe assures us, **That** this lord had power to grant or not to grant theis Tythes, and to whome he would, dwellinge in or out of the said parish is as playne by the Deed; Of which kind also theis relations will present others more; **And** therewith also agrees the record in the feaventh of Edward the third in the case of the pryor of Lewes: **from** hence I purposed, to have taken the occasion of openinge to this family howe the case for payement of tythes within their barony of Berkeley stood in theis antient tymes, And how it standeth at this day, the rather sith controversies about payement of Tythes out of the lord Berkeleys parkes, woods, and chafes, are moved at this instant, wherein I have vndergone a litle paynes: And to haue concluded with the Hebrewe proverbe mentioned in y^e Jewes writings at this daye, pay tythes justly that thou mayest bee ritch: But when I fell upon the bookes of Carleton, | Eburne, Ridley, Chancellor of Winton and some other, And lastly vpon Butler sometymes my fellow student in Magdalen Colledg in Oxford) and in the end of his treatise of bees, which hee calleth his feminine monarchy, find him (with others) censoriously to proclaime, **That** for laymen which wayt not at the Aultar, to lay their prophane hands upon the lords portion, and receive Tythes, is such a sinne as the man of sinne himselfe would not attempt, and such an abhominacion as in former ages amongst Christians or heathen, the world never heard of, nor ever was heard of in this famous Ile, since it first imbraced the fayth of Christ, vntill that strange Act whereby the church was vnmercifully spoyled, not onely of her lands the guift of men, but of her Tythes also the guift of god, and given to the Robbers themselves, calling them Thefts, accursed evils, irreligious Sacriledges, and the like; I then retracted my intent, And send him that desireth further satisfaction to the History of Tythes written by John Selden of the Inner temple given mee by the lady Elizabeth Berkeley with her motto, non est mortale quod opto: And to an other treatise also of his in fewe months after written in confutation of Doct^r Tillesly his refuter, with the Doct^rs reply, Then which none more learned in that argument, have, I suppose, bene presented to the world. **And** seeing I am a litle digressed take a glymps of the Actions of this Abbot, wheather any beame was in his owne eye,

Rot: claus: 7. E: 3
m: 13 in dorso
pro priore de Lewes

82
Butler in prima
editione.

the pope.

Act of parliament
31: H: 8:

Selden

See doct^r
Mountegu his
booke agaynst
Selden.

See also Sr James
Simple:

Carta in Castro
de Berkeley.

when thus hee quarrelled at the moth in his lord and patrons ; **The** church of Wotton becometh voyd, The Abbot presents one Witm Clarke to the Bishop of Worcester, (within whose Dioces it then was) whom the Bishopp admitteth to the sayd church and to her two Chappells of Simondsfall & Nibley, vppon condiçon (accordinge to the simoniacall contract aforehand made) **That** hee should duringe his incumbency pay an yearly pension of three markes to the said Abbot and Covent out of the same benefice, for the better feedinge of himselfe and his monckes, accordingly was intituted and inducted.

Carta in Castro
de Berkeley.

And by an other Deed of the same tyme, This Bishop of Worcester (saith this other Deed) takinge consideration of the honest conversation of this Abbot and Cannons, and of the poverty of their house, and of their diligent care aswell in receiuinge strangers, as in nourishinge of poore people, doth take their whole house, churches, and ecclesiasticall goods, into his protection ; And to the end, the
83 benefitts of charity which from the first | foundation of their house have bene bestowed on them, might more abundantly to gods honor be dilated, doth by his episcopall authority grant vnto them that they may convert to their proper vse the fruits of the churches of Berkeley, Wotton, Almondesbury and Ashelworth for the sustentation of the said Cannons, receiuinge of gifts, and releefe of poore people, sauinge alwayes the dignity of the Church of Worcester, and honest sustentation of the vicars servinge in the said churches : **Under** which pretext, their sower noble Advowsons wth their chappells were appropriated to that monastery and to the feedinge of the monkes bellies, more worth then one thousand pownds by the yeare at this daye : **And**, three of the Cures in those great and populous parishes, nowe served by poore hirelings with beggerly stipends ; **This** with those religious men in the fence of those tymes, was noe offence in comparisō of this lords digginge a little morfell of Berkeley Church yard in a needfull tyme, to a necessary vse, leavinge the residue of more then a sufficient largenes : And nowe I returne :

Stile changeth.
Rot : pip : in Scçio.

divers : cartæ in
Castro de Berkeley.

This Castle of Berkeley by this lord Maurice thus enlarged and fortified, became his dwelling house, And hee from Somersetsshire & Middlesex, became a Gloucestershire man ; And thenceforth his stile or Name of Maurice the sonne of Robertt, began silently to slip away from him, **And** hee also stiled himselfe Mauritius de Berkelei, Maurice of Berkeley and lord Maurice of Berkeley (as also the Deeds of other men did, which were made to him,) But the finall funerall of the name of Harding, see in the next life of Robert sonne of this lord Maurice.

See fol.: [99, 100.]

His

His Almshouses and Devotions

This lord was founder of the hospitall of the Master and bretheren of Loringe, seated in the way betweene Berkeley and Durfeley, at this daye called Lorenge farme, endowing it with a competency of land, which in his deed of foundation, hee expreffeth to be done by him for the prosperity and foules helth of his two yonger sonnes, Thomas and Maurice, which Thomas (by the death of his elder brother Robert without issue) cominge afterwards to bee lord Berkeley, gave the sayd hospitall of Loringe to God and to the Abbot of S^t Peeters of Glouc; as being Prior of the Church of S^t Leonard of Stanley, and to the Monkes of Glouc; there serving God; **And** withall gaue divers other lands in Cowley for the love of God, and the foules health of himfelfe and of his antecessors, **And** afterwards also in appeasinge of a Sute in an Assise of darreine presentment rayfed by the sayd Abbot of S^t Peters | against him for the church of Slimbridge (under pretext of Roger of Berkeleis grant) which this Abbot nowe releaseth; the sayd Lord agayne confirmed and made more perfect to the sayd Abbot and Covent of S^t Peeters, his former grant of Loringe, As by a Fine leavyed between them in the Nyntb yeare of King Henry the third appeareth wherein the sayd lord agreeth to recompence with equall value to the Abbot, if that of Loringe by his heires should be evicted, which farme and lands are at this day more worth then 220^{li}. per Anñ.

Aug : chart : fol :
53. 54. in caſtro
de Berkeley.

Carta in Caſtro de
Berkeley.

Fine 9 : H : 3. in
thes : recepti Scōij.

Glouc : manuſcript
cū decano Glouc :
84

Fine. 9 : H : 3 in
octaſ : hillarij.

Loringe.

This lord was also founder of the hospitall of S^t Trinity of Longbridge at the North end of Berkeley, The ruinous walls whereof I remember standing amidſt the banckes of divers fiſh ponds there, which for the moſt part are nowe cultivated into a plaine meadowe ground, the inheritance of John Atwood: **Whercof**, take here together, all I knowe.

Carta in Caſtro de
Berkeley.
Longbridge
iuxta Berkeley.

Upon the foundation of which hospitall, it was agreed betweene this Lord Maurice, the Church of Berkeley, the Abbot of S^t Auguſtines, and the Pryor of this hospitall, That the Chapleyn of this Hoſpitall for the tyme being, called afterwards the pryor or Cuſtos, ſhould doe fealty to the Church of Berkeley in the preſence of the ſaid Abbot and of this lord their heires and Succeſſors, And ſhould doe noe damage to the ſaid Church in offerings, Tythes, or other thinges which of parochiall right doe belonge to the ſaide Church of Berkeley: But that it ſhall be lawfull for the Bretheren of the ſayd hoſpitall to have and retaine in the Feaſts of S^t John the Baptiſt and of bleſſed Mary Magdalen, the Offerings of the pariſhioners of Berkeley which came to thoſe Feaſts, **And** that the ſayd Bretheren ſhall have their owne ſepulchres there, And that the ſayd Abbot ſhall bee their viſitor and Corrector.

carta in caſtro
de Berkeley

Afterwards

Carta in Caſtro de
Berkeley.

Afterwards the lord Maurice, this Lords grandchilde in y^e tyme of King Henry the third, for the health of his owne foule, and of Ifabell his wife, and of their parents, anteceffors, and ſucceffors, gave divers other landes in the pariſh of Berkeley to this hoſpittall, to the end they ſhould finde a Chaplen to ſing in their hoſpittall for their Soules, which if hee ſayled at any tyme to doe, they ſhould for every Offence forfeite fix loaves of white bread of their proper goods, which ſhould bee diſtributed to the uſe of poore people for the good of the ſoules aforeſaid. |

85
Regiſtrū: Wigorn
cū: Eſpo. ibm.

In the fortieth yeare of the ſayd Kinge, Anno. 1255. vpon newe controverſies ariſeing, an other compoſition was made for the further indemnity of the Church of Berkeley, That all the ſeculars in the hoſpittall of Longbridge, exceptinge a Cooke, and one perſon to kepe ſick folkes, ſhould in the ſpetiall ſolemne dayes, come to Berkeley Church, and there ſhould receive all the eccleſiaſticall Sacraments, (except holy bread and holy water¹) vnles it bee by the diſpenſation and leave of the Vicar of Berkeley for the tyme beinge.

Regiſtrū
Wigornie.

Folwertene yeares after this in the fower and fiftieth yeare of the ſaide Kinge Henry the third, Anno. 1269. An other controverſy aroſe betweene this lord, and the Biſhop of Worceſter which of them ſhould preſent to this hoſpittall, wherein the agreement at laſt was made, That the ſame beinge now voyd, this lord Maurice ſhould firſt preſent, and the Biſhop the next turne, And ſoe each of them by alternate courſes, the ſaide lord and his heires, and the ſaid Biſhop and his Succeffors: In which agreement, the ſtile of the lord is, Nobilis vir Mauricius de Berkeley, And that the preſentation ſhould runne, ad cuſtodiam ſive curam hoſpitalis ſanctæ trinitatis de Longbridge extra Berkeley, To the Cuſtody or cure of the hoſpittall of S: Trinity of Longbridge without Berkeley.

Carta in Caſtro de
Berkeley.

In the xxijth yeare of King Edward the third, the lord Maurice the fourth of that name, gave to this Hoſpittall, All his meſſuages, lands and Tenements in Arlingham, or elſewhere within the hundred of Berkeley which hee had purchaſed of Richard Ferror, **A**nd in the ſame yeare, ſomewhat increaſed his liberality to the ſayd hoſpittall with the guiſt of ij^s vj^d rent out of the lands of John Neell in Wanifwell, and of certaine lands in Berkeley, and enioyned the Pryor and Bretheren of this Hoſpittall

Carta in caſtro
de Berkeley.

¹ The "Holy Bread" here mentioned is not the bread for the Holy Eucharist or, as it is ſometimes called, the "ſinging bread," but the "Eulogia" or "Holy loaf," which was made of ordinary bread, and cut up and diſtributed to the people by the Prieſt after the Maſs was finiſhed. "Holy Water" was the water bleſſed by the Prieſt and placed in the ſtoupes at Church doors with which the people croſſed themſelves on entering the Church. [Ed.]

Hospitall, to celebrate yearly the aniverfary day of his Father, And then to distribute to euery Chaplen there, one penny; And amongst the Clarkes two pence; And to the poore fix pence; And upon the Aniverfary dayes of himfelfe to distribute to everie Chaplen one penny, And amongst the Clarkes two pence; And to the poore thirteene pence, And vpon every of the Aniverfary dayes of Elizabeth his wife, and of Katherine lady Berkeley, And of S^r Nicholas Poynz, And of S^r Tho: Dittewell Chaplen of our lady of Berkeley, to distribute to every Chaplen one penny And to the Clarkes two pence; And upon fayling of theis duties, This Lord and his heires to re-enter, And to have his lands agayne. And in the xxvth yeare increased his former liberalities by the gift of a messuage in Berkeley to the said hospitall, for the more ample pformance of the said deuotions.

86

In the fower and fortieth of King Edward the third, Nicholais Jeffrais custos hospitalis sc̄tæ trinitatis de longbridge iuxta Berkelay, And Thomas Munday parson of Beckbrooke in Lincolneshire, exchanged benefices; whereby Mundy had this of Longbridge, whom the king presented by reason of the minority of Thomas lord Berkeley his ward.

pat:44. E: 3 pars. 2
m: 8.

William Marquis Berkeley by his last will made in the seauenth of Kinge Henry the seaventh, ordayned that his Executors should purchase two and twenty markes rent by the yeare to find two preists in this Chapple of longbridge, whereof one to singe in Trinity Chapple there, And the other in the Chapple of Berkeley Church, where his Father and his sonne S^r Thomas lye buried, or els that his rent of two and twenty markes out of Frampton vpon Seaverne bee disposed to thee performance of the same, And that his Executors should spend one hundred markes in buildinge of an house here at Longbridge for two preists to inhabite in, And to laye out forty markes more to buy vestments and Ornaments for the saide Chapple, And should purchase a pardon from the Court of Rome, as large as may bee had, for this Chapple, from evenfonge to evenfonge, in the feast of S^t Trinity for ever, for pleyne remission to them that will be confessed and contrite, And there then say, three pater nosters, and three Aves, for his soule, and for the soules aforesaid.

Vltima Volun^t
tatis: Mary:
Berkeley in reg:
London:

This hospitall being dissolved and cominge into the Kings hands by the Statute of Chantries made in the first yeare of King Edward the sixth, was afterwards by the tres Patents of Queene Elizabeth dated the xxxith of December in the fourth yeare of her raigne, granted to Edward Warner and his heires, wherein is recited howe the sayd Quene by her former tres patents dated the fifteenth of September

Irroč in Sc̄cio
cum reuⁿ thes:

Cart:irro7inCanc:

87

September in the third of her raigne, had granted the same to Ralph Sheldon and the said Edward Warner and their heires, by the name of all that Priory, free Chapple, or hospitall of Longbridge, in Longbridge, Slimbridge, Durfely, Nibley, Came, Arlingham, and Barkeley in the County of Glouc; To hold of the Manor of East greenwich in free Socage. **All** which S^r Edward Warner by Deed inrolled dated the tenth of January, Anno quarto Eliz: fold to Nicholas | Purfloe and William Buckbert, And they by like Deed inrolled dated the xxijth of the same Month to Richard Denis Esq^r who after alayened the same to the feuerall Tenants and their heires that nowe hold the same, **And** hauinge nowe finished with this hospitall, I proceede with this lords further Almes and deuotions.

Rot : fin : 7. Johis
pars 2. Midd :

This lord gave all the lands hee had in Middlefex to the Bishoprick of Landaffe, for which Withm the Bishop there answered King John escuage in the Seaventh of his raigne.

Carta in Castro
de Berkeley

Hee also gave to the Abbot and Monkes of Kingeswood part of his water runnyng by their Monastery, and part of his land of Wotton, for the enlarginge of their Monastery; which grant the lord Robert his sonne much afterwards enlarged, for the health of his owne soule, his wives, his Fathers, his Mothers, and of his Antecessors and heires.

Carta in Castro
de Berkeley

Also this lord gave to God and to our lady and to the Hospitall of S^t John Baptist in Radecluye by Brystoll, the rents of divers lands there with the reuertions thereof, for the health of the soules of his Father, Mother, himselfe, wife, children, and Antecessors: **diuers** others were the Almes and deuotions of this lord Maurice to many religious places, but all of them foe turned from the Monastery of S^t Augustine, as plainly declared his setled dislike of that Abbots ingratitude with the vnderualewing of himselfe, (sonne and heire to their founder;) which donations I nowe seeinge but in glimpses (as it were) through the spectacles of torne papers, I here omit, And the rather because I see those lands by the change of tymes, turned to lay inheritances, and the returne of the givers memoriall, quite neglected and forgotten.

His Wife

Newl : pedeg :
Robt de Ricart
em maiore Bristoll
fo: 5. 6. 7.
Carta in Castro
de Berkeley.

The wife of this Lord Maurice, was Alice the eldest daughter of Roger de Berkeley Lord of Durfely, whom he maryed at Bristoll according to the fore-mentioned agreem^t; whereby their parents became attoned, with whom he had the Manor

Manor of Slimbridge, the antiente inheritance of her father, of the valewe of tenn pounds by the yeare : **Which** by length of foe long a possession runninge ever since with the Manor and Barony of Berkeley, and lyinge within the sayd Manor, hundred, and Leet of Berkeley, is nowe and foe for divers ages past, hath bene reputed a member and parcell of the sayd Manor and Barony, which | at the tyme of the said agreement was not foe : **And** the said Alice at the tyme of her mariage had assured to her for her life twenty pownd land by the yeare out of the Manor of Berkeley **By** her hee had issue six sonnes and one daughter, of whome hereafter ; **Shce** surviued her husband, and lyved till extreame old age, and dyed his widowe ; And did foe reverently esteeme of her Husbands memory after his death, That in her conveyances (whereof many yet remayne) Shee neuer mentioned the name of her Husband, but shee annexed the adiunct of my lord Maurice ; And quod dñs meus Mauritius dedit ; And pro salute animæ domini mei Mauricij, And the like.

88

Cartæ in Castro
de Berkeley

Shce was a lady of great vertue, And went to her grave loaden wth many good workes ; And amongst others, To Elia the sonne of Toky her nurse, shee gave a messuage and halfe a yard land in Slimbridge in fee simple, And to haue her grift ground toll free at hir mill there next after her owne corne that then should bee upon the mill in grindinge.

Carta in Castro
de Berkeley.

To **Sup** sonne of Roger de Vilers her servant, shee gave an other messuag and yard land there in fee simple, To hold by paym^t of a paire of guilt spurs. **To** **Wyot** de Vilers an other servant shee gave a messuage and yard land in Cowly in fee simple to hold by payment of one pound of comin : **To the** Monastery of S^t Augustines shee gaue diuers houses and lands in Radclivestreet in Bristoll, Togeather also with the great new stone house there which her husband gaue to her in fee, and dwelt in. **To Robert** her eldest sonne, shee conveyed her Manor of Slimbridge being her owne franke mariage, ne animus suus in posterū perverteretur, vt alium quàm Robertum filium suum hereditare vellet, least her mind should change, and an other then Robertt her sonne bee thereof made heire ; whereby shee destroyed that entayle, which was found by Jury in the Comon pleas in the xxxixth yeare of Queene Elizabeth vpon a tryall in a writt of partition for this Manor, whereof read more in the life of Henry Lord Berkeley, And as is before touched in the life of Harding. **To her** sonne Thomas also, shee gave lands in Radeclivestreet aforefaid at severall tymes, part before, and part after her guift to the sayd Monastery. **To William** her sonne shee gaue also lands in Berkeley parish which shee bought of William Heiron. **And** foe also shee dealt with the rest of her sonnes, by | conveyinge to each of them

Carta in Castro
de Berkeley.Carta in Castro
de Berkeley.Aug: chart: fol:
187.Carta cum Decano
Bristoll

See fol :

fol: 10.
Aug: chart: fo:
187.Carta in Castro
de Berkeley

89

several

Newl: pedegre
5: H: 7: in Castro
de Berkeley:

several parts of such possessions as shee had from her Father, or by her owne purchases. **And** with like devotion in other gifts shee remembered other religious houses, which brevity calls me from. **Of her** Abbot Newland hath thus; Alice the wife of this lord Maurice, lord of Berkeley was the daughter of Roger of Berkeley Baron of Dursely which was of the blood of S^t Edward the Confessor; And this mariage was made at Bristowe in presence of King Steven, and of Harry Duke of Normandy; Soe the Abbott

Venit iterum qui te in lucem reponet dies
If weomen all were like to thee,
Wee men for wives should happy bee.

His Issue

1. 2. **Robert** and **Thomas** the two eldest were Lords, and followingly haue the relation of their lyves at large.

3. **Maurice** the third sonne (besides his Mothers said gifts) had from his Grandfather Roger Berkeley of Dursly Loringe Farme and litle mead in Gosington; **And** from this Lord Maurice his father, diuers lands in Hinton and Came.

Carta in Castro
de Berkeley.

Aug: chart: fol: 54
Newl: ped: et al:
in Castro de
Berkeley.

And from his brother the Lord Robert, hee had Foxcote Manor, in preferment at his mariage if hee should haue issue by his wife, if not, to revert to the right heires of the said Robert; **This** Maurice had issue Thomas, to whome his father put ouer his lands of Hinton and Came, But hee dyinge without issue, the same reverted to the next Thomas lord Berkeley his next heire: Hee dyed the viijth of January towards the end of King Henry the third.

Carta in Castro
de Berkeley.

fine. 7. R: 1 in
Abbacia westmer:
90

Rot. pip. 9 R: 2
Glouc: in Scđio.
Rot. pip. 1. Johis,
Somerfett:

4. **William** the fourth sonne was a knight, who (besides this Mothers gifts aforesaid) had from his father the moytie of his Manor of Gosington in the parish of Slimbridge parcell of his Manor of Berkeley, To hold by the fourth part of a Knights fee, which my selfe having the last yeare purchased of John Goldeborowe, have this yeare . 1618 . in the xvjth of Kinge James, made agayne sale thereof to diuers pticular persons, whereby I have increased the number of homagers, to the further | honor and benefit of the castle of Berkeley, **And** likewise this S^r William had from his Father the manor of Portbury, which afterwards by a syne leavyed in the Seaventh of Richard the first, hee exchanged with the lord Robert his elder brother, for the other moytie of Gosington, **And** this is the first fine I have met withall of any part of y^e Manor of Berkeley; Howbeit, it is misfiled vnder the title of Com̄ Dorsett.

This

This S^r Withm had also the manor of Childecott in the County of Derby, about the title whereof hee underwent a longe and troblesome suit in y^e tymes of King Richard the first, and King John, which William de Kanvill in right of Albreda his wife daughter of Jeffery Marmion, questioned against him.

plita. 7. R: 1. et
9 Johis in banco.

5. 6. **Henry** and **Richard** the fifth and sixth sonnes had forraigne fortunes : many Histories and records doe witnes, That King Henrye the second havinge in battle taken Withm King of Scots prifoner, did in the twentieth yeare of his raigne (after he had bin wth him in Normandy and in his warrs in Franncce) release him for . 4000l. ranfome ; whoe in his returne into Scotland, with the good lykinge of Kinge Henry, tooke with him many of the yonger sonnes of Noble men of England that bare him good will (saith the histories) as Berkeley, Brewfe, Mowbray Hay, Ramfey, and others ; To whom King William gaue lands in Scotland, which hee tooke from such as were rebells to him there : **Of** which number of gentlemen thus changing theire country, were theis two bretheren, Henry and Richard, whome I suppose, King Henrye the second for the singular affection hee bore to their Father & Grandfather spetially recomended ; **Of** whose posterities, or of one of them, is often honorable mention in the warres, [treaties of peace, embassages, travelling in pilgrimages, hostages,] ranfominge of prifoners, and the like passages ; which in Succession of tymes haue bene betweene the kingdomes of England, Scotland, Ireland, and France, wherein by theire feuerall names of Patricius de Berkeley, Walter de Berkeley knight de Kerduan, John de Berkeley, John sonne of John de Berkeley, Daud de Berkeley, miles, Hugh Berkeley scutifer, John de Berkeley de Houborne in Glendale, | Benedi^ct Berkeley de Bodan, and others, they haue in severall ages bene feuerally imploy'd, And haue bene owners of faire Seigniories and possessions, as the records hereunder vouched expressely declare. viz: Rot. Scotiæ. 24. 25. et 28. E : 1. in dorfo : / claus : 24. E : 1 m : 7 : / claus : 25 E : 1. in dorfo : / breuia regis. 29. E : 3. pars. 2. / Rot. Scotiæ. 32. E : 3. m 4. / Rot. Scotiæ. 30 et 31. E : 3. in dorfo. / liber pa^rliam^t in turre london. 35. E : 3. / [Rot. Scotiæ 37 E : 3 m 2 & 5 :] / Rot. Scotiæ. 40. E : 3 : / Rot. pardon. 21. R : 2 : et Rot. Scotiæ 8, 9. 10. 11. H : 6. m. / 11. / **And** Allexander Berkeley de Brethin in Scotland was in the 27th yeare of Henry the sixth made by the said Kings tres patents a free denizen of England, and gave his oath of fealty and allegiance to bee thenceforth the Kings true subiect, at that tyme abiding in London ; But what became of his posterity I finde not. **And** of theis are discended those families in Scotland, Ireland, and France, which theare beare the surnames of Berkeley at this day . 1626. with litle or noe variation in the Orthography of their names ; Some

Fabian fol:
Stow. fo: 217
Howe fo: 153
Math. Paris
Wendover.

91

Rot: pat: 27. H: 6
pars 2. m: 25:

of whose witty and learned workes, as Berkeley his Argenis, and contra monarchomacos, and de potestate papæ, with others, wee not vnwillingly [read at this day.]

Carta in Castro
de Berkeley.
claus. 8. H: 3. m. 23.
fine roll. 8. H: 3.

7. The daughter of this lord Maurice, was married to Osbert Gifford k^t, by whome hee had issue, Osbert Gifford and others, which Osbert became Servant to King Henry the third in the Eighth year of his raigne, and long held in spetiall favor with him, as many records (witnesses of the kings liberality) doe poynt vnto vs.

His Seale

The seale, which this lord Maurice vsed, was like unto that of his father, having the impresson of a knight armed and mounted as for present onset in the wars, of bredth three inches and more, with theis words in the vtter circumference, Sigillt : Mauriç : de Berket : Behold the figure.



His Death and Place of Buriall

All humane fleshe is grasse, and needs must fade,
To earth agayne, whereof it first was made.

This Maurice fate Lord Berkeley eightene yeares fower Monthes and eleaven dayes after the death of his Father, And dyed the sixteenth day of June, Anno. 1189 in the first of King Richard the first, And lyeth buried in the parish Church of Braynford seaven miles westward from London, At the first building whereof he was a spetiall benefactor, which the Armes over the porch doore of that Church, yet to bee seene, may witnesse to bee true ; Howbeit upon a newe repaire of the place, the
fame

Newl: ped: et tres
alij in Castro de
Berkeley.

Carta. R: 1 sub
figillo in Castro de
Berkeley.

Rot. pip: in Scōio
2. 3. 4. et 7 R: 1.
Glouc:

fame were with some variation and addition of Coates, in the dayes of William Marques Berkeley of newe engraven, As the Coates therein quartered doe manifest.

nova promissa
Newl: ped. p̄dict.

Maurice de Berket gift ycy,
dieu de sa alme eyt mercy

But whereas the Register booke with the Bishoppes of Worcester, seemeth to say, That this lord Maurice should in the year . 1207 . (which was Anno nono Regis Johis) present Simon de Berkeley then an infant to the Church of Slimbridge, The Custody whereof the Bishopp then comitted to Walter Birton till Simons full age, It is certainly a mistake in the figures, for this lord was dead more then eightene yeares before, And his sonne that succeeded in his barony had bene foe longe in possession thereof, as after in his life appeares.

Regist. wigorn̄.

The Lands whereof he dyed seized.

By this lord Maurice his death, descended to Robert his eldest sonne, the Manor of Berkeley burrowe, Hame, Apleridge, Alkington, Hinton, Hurst, Slimbridge, Came, Cowley, Wotton, Simonfall, Arlingham, Gofington, and Ewly in the County of Glouc: whereof Slimbridge came by Frank mariage with his wife, and Apleridge, by his owne purchase And also the manors of Portbury, Bedminster, and Radecliffe in the County of Somersfett. |

And the Manor of Bray in the County of Devon, which he leaft to Thomas his second sonne for life, To which conveyance the Bishop of Landaffe, the Abbot of S: Auguftines, the prior of Lanthony, and Wiffm Earle of Salisbury are wittneffes.

93
Carta in Castro
de Berkeley.

And the manor of Foxcote in the County of Glouc: which hee purchafed of Humphry de Bohun Conestable of England, To hold by halfe a kn^s fee, which King Henry the second confirmed; which Manor hee also somewhat enlarged by other parcells purchafed of Baldwine de Ekefwike.

Carta in Castro
de Berkeley.

And also the manor of Pourton ats Pirton in the, sayd County of Glouc.; which hee purchafed of the said Humphry de Bohun, To hold by the fifth part of a knights fee.

carta in castro
de Berkeley.

And the Manor of Acton in the County of Glouc.

As for the Manor of Hannam by Bitton and halfe an hide in Hampton which were purchafed of Richard Foliat, hee alyened Hannam to Robertt de Hannam, and Hampton to an other.

plita et Jurata
15. E: 1. rot: 29:
in rec: Sc̄c̄ij.

And

And held also diuers houses lands and Tenements within the walls of Bristoll, which by the lord Robertt his sonne were shortly after given to the Abbott of S: Augustines.

And what further lands hee leaft to his eldest sonne by discent, or what more were the actions of his life, or gifts to monasteries, devouring tyme hath so bereaft mee of the meanes to knowe, That it might almost repent mee to have walked in the tedious travell of theis generations soe long since past, which whofoever undertakes in the like, shall doubtlesse finde the waye longe and thorny, the path overgrowne, and hardly discerneable, the guides fewe to direct, and those speaking in divers languages, as I have done.

The Application and use of his Life

The vñe.

1. The life of this lord, may instruct his posterity to bee tender in meddling with the levites portion, or things dedicated to gods service; Not to take offence at the contentions or lewd lyves of Clergy men; nor to esteeme the worfe of the foode though it bee dished vnto us in earthen vessells; espetially not to suffer the observation of their humane frailties to with-hold our devotions from working charitably for the better Comforte of our owne soules. |

94

2. Againe, from this lord his posterity is taught to beare private iniuries with patience, for neuer was any innocent man wronged, but if patiently hee bare his crosse, hee overcame in the end: nobile vincendi genus est patientia, vincit qui patitur: Si vis vincere, discite pati; And that if their good name bee wounded, to beare that also with patience, for hee that at the last day will give thy body a resurrection, will as sure, in his good tyme, grant a resurrection to thy good name.

3. Againe, it maye from this lord not vnprofitably bee noted, That his life hath declared his iust dislike conceived against the Abbott and Covent of S: Augustines; his loue to his wife; and his gift to her of diuers lands, and of the onely house hee had to dwell in, before hee had fitted Berkeley Castle; And howe his wife after his death gave that house and lands to those whom her husbands last breath seemed to hate; And thence to inferre, That (notwithstandinge her other vertues) shee was a woman, resemblinge the widowe of King Edward the fourth, whom flattery and faire wordes wonne to deliver over her deereft sonnes to the custody of her mortall enemy, Richard the third, called the vsurper; whoe before had brought destruction to hir deereft kindred, as after hee did to her sonnes; And thereupon to comend to the
confideraçon

confideraçon of the present lord George (in whom this his Ancestor lyveth, and whose errors ought to bee his Cavcats) That his care bee rayther to bee beloved of his wife, then himfelfe to bee foe befotted on her, as to leave the difpofeing of thofe lands to her, which were ordayned to maintayne his owne images and pofterity, which are not vnlikely to bee turned a contrary and vnfavory way, As by this example (from a woman otherwife prayfeworthy) hee feeth; And to remember withall, That what is leaft to our wiues after our death longer then for theire widdowhood, is given to Strangers, and often tymes to an Enemy, at leaft to one that will fpend with ioye and eafe, what wee haue fpared and gotten with care and travell; And not to enable our wiues to fly to the ioyes of a fecond bedd, with thofe feathers which death hath pulled from our wings; And fpetially to remember, that our houle and eftate, liveth after death in our fonnes, not in our wiues.

4. *Againe*, the paffage betweene the Abbot and this lord concerning the Church yard of Berkeley, may inſtruēt, not too rigidly to prefs the execution of a fentence obtayned againſt our aduerfary by exacting a ſtrict performance of each particular doome or fentence therein, as this inconfiderate Abbot did, whereby hee loſt a great benefactor to his Monaſtery, and made an Enemy of a friend, when a milder courſe might have reformed the evill, and kept this lord ſtill his bountefull friend. |

5. *Againe*, this lord Maurice by the employment of his yonger fonnes at home and abroad, And the ſuccesfull multiplication of their poſterities both in this and other kingdomes, is an vfeſfull leſſon to his poſteritye to avoyd pampheringe and idlenes in the education of yonger children, And not to fuffer a fond indulgence at home, to bereaue them of the knowledge of the world abroad, and of that experience, whereby Honor & wealth are gayned; whereas for the moſt part children in great families are foe long cockered by the mother, ſmoothed by her maydes, and flattered by meniall ſervants, thereby foe longe kept from knowledge of themſelves, That they enter the world, as children; when a wife education might haue ripened them for equal honor to their elder brother, as with this lord it fell out: *Hee* that will expect a good harveſt from the fruit of his owne loynes muſt betymes in the ſpringe, carefully till and weed his plants, And not when weeds have overgrowne and halfe choaked his ground, then begin to looke after the goodnes of his feed, and tillage of his land.

96 blank

Finis Mauricii filii Roberti filii Hardingi als dict. Mauricii de Berkeley.

The Life of Robert the Second

97

The life of Robert lord Berkeley the second of that name, stiled in writings, Robertus filius Mauricij ; **And**, Robert de Berket. ; **And**, Robert de Berket ; **And**, Robtus de Berkeley **And**, dñs Robertus de Berkelei ; **And** Robertus filius Mauricij de Berkelai ; **And**, Robertus de Berchelay ; **And**, Robtus de Berclay **And** may bee called, Robert the rebellious.

diversæ cartæ in
Castro de Berkeley.

Rot : pip : temp.

R : 1. et Johis.

Red booke in
Scçio.

Aug: chart: fol: 47.

48. 50. 51.

Contemporary with King Richard the first, Kinge John, and part of Kinge Henry the third, from the yeare . 1189. to the yeare . 1220.

Whose life I lay downe vnder theis titles.

- 1.—**His** birth and education fol : 98.
- 2.—**The** Confirmations of the Manor and Barony of Berkeley . fol : 98. 99.
- 3.—**The** name of **Harding** dyed fol : 99.
- 4.—**The** name of Berkeley first assumed fol : 99. 100.
- 5.—**His** Almes and devotions . fol : 102.
- 6.—**His** foundinge the Hospitall of S' Katherines fol : 105 . 106.
- 7.—**His** miscellanies and various passages . fol : 106.
- 8.—**His** rebellion against King John . fol : 110.
- 9.—**His** wives fol : 116.
- 10.—**His** death and place of buriall fol : 117.
- 11.—**His** seales of Armes . fol : 118.
- 12.—**The** lands whereof hee dyed seized . fol : 118.
- 13.—**The** Application and use of his life : . 120.

This Lord Robert was borne about the Eleaventh yeare of Kinge Henry the second, And had his youths education for many yeares in the Court of that Kinge, till manhood came on ; and as probable may be gathered, the fayd Kinge for the affection hee bare to Robert his grandfather, and to his father Maurice, tooke him from the knees of Father and Grandfather to his care and Education ~~for~~ this lord Robert longe after in one of his Deeds of charity (whereof hee hath many) giveth to the Abbot of S' Auguſtines divers lands in Arlingham & Alkingtō, for the foules helth of his lord Kinge Henry the second, qui se nutrit, who nurfed and nourished him in his infancy, and of Kinge Richard and King John his lordes.

Aug: chart: fo: 51.
in Castro de
Berkeley.

carta in Castro
de Berkelai.
plita de quo warr:
Pasch. 15. E: 1.
rot. 12.
in recept Scēij.

The xxvijth of September in the first yeare of King Richard the first, this lord obtayned of that Kinge a Confirmation to him and his heires, of the manor of Berkelai and of all Berkelai Herneffe which Kinge Henry his father gave to Robert sonne of Hardinge his grandfather, withall the appendices, as amply as the same was in the tyme of Kinge Henry the first his fathers Grandfather, **To hold** by five Knights ~~ffers~~, what tyme hee received the homage of this Robert, faith the deed.

Rot. pip: 2. 3. et
4 R: 1 in Scēio
Glouc:

fol: [79]

Rot: pip: 7. R: 1
Glouc: in Scēio.

And it foe fell out in the first yeare of King Richard the first, Anno 1189. That as soone as the lord Maurice Father of this lord Robertt had a few Monthes after that Kinges acceſſe to the Crowne, compounded for one thousand markes for the Confirmation of his foresaid Charters, of Berkeley, That he dyed before payement as hath bene fayde, by whose death a Releefe became due to the Kinge, for which his sonne and heire this lord Robert then of full age paid one thousand pound, which is entred in the pipe rolls, to bee, pro fine hereditatis suæ, for the fine of his inheritance, wherein all the favor hee then obtayned in payement of thee fayd Releefe, was to paye two hundred pownds in hand, and the rest by fowerſcore pownds a yeare: Howbeit that Kinge in the Seaventh of his raigne pardoned him five hundred Markes thereof, for his good service done to him in his warres.

99
Cartæ in Castro
de Berkeley.

And this lord the xxvijth of November in the tenth of y^e same kinge | had another confirmation (or rather a constat of the former)

And

And theis tres patents render this reafon thereof, for that the Kinges great Seale was loft whileft he was prifoner in Aliemania in his retourne out of the holy lande, And nowe havinge a new feale fealeth this Deed therewth;

See policron: lib: 7
cap: 28.

And the xvijth of Aprill in the firft yeare of King John, (Richard the firft being dead but twelve dayes before) this lord obtayneth an other confirmation to him and his heires of the fayd Manor of Berkelai, and of all the Berkelai-herneffe in like wordes as before, for which hee payd threefcore markes, as the pipe roll of the next yeare tell vs in theis wordes. Robertus de Berkelai reddit com̃um de 60 marcis pro cartis fuis confirmandis quas habet de rege Henrico de honore de Berkelai; Robert of Berkelai pays threefcore markes for the confirmaçõ of his Charters which hee hath from the grants of King Henry the fecond of the Honor of Berkelai: wherewth alfo accordeth the roll called oblata in the Tower, And then alfo the Kinge received his homage, as the Deed sheweth.

Rot:cart: 1. 2. Johis
pars. 2. n^o 100.
Rot. in thefaur:
recept^e
Carta in Castro de
Berkeley subfigillo
Rot. pip: 2: Johis.
Nova oblata:
Glouc:
p̃ita de quo warr.
Pafch: 15. E: 1.
rot. 12.
honor de Berkelai.
Oblata. 1. Johis.
m. 1. n^o 14. Glouc:

And at the fame tymes, this lord procured the like confirmations from thee fayd twoe Kinges of his Manor of Bedminstree, purchafed by his fayd grandfather of Richard Earle of Glouc: **Which** done, Hee by the name of Robert de Berkeley fonne of Maurice, fonne of Robert, fonne of Hardinge, Confirmeth to Nigell of Kingescote his Cozen and his heires, the Manor of Kingescote, which Robert his grandfather gave to Nigell his Grandfather in mariage with Aldena his daughter, recitinge both the fame Deed, and alfo the Confirmaçõ of Kinge Henry the fecond, both of that land, and of whatfoever els should bee given him out of the honor of Berkeley: To which firft deed made by Roßt fonne of Harding, the lady Eve his wife, and Maurice his eldeft fonne, are wittneffes.

Rot: cart: 1. Joh:
p̃dit:

carta cū Anthonio
Kingescote de
Kingescote.
honor de Berkeley.

See before fol:[70]

The name of Harding dyed, And the name of Berkeley assumed

In the tyme of this Lord Robert, and in theis tymes of King Richard the firft, and King John, quite dyed that appellation, or name of Harding; And aswell this Lord himfelfe, as his brothers, nephewes and other neere kindred, assumed theire feconde names, or Surnames, either from neerer Ancestors, or from fuch places where vsually they dwelt; **As** Robert de Were, Maurice de Gant, Roger fitz Nicholl, Maurice de Came, John de Durfeley, Robert de Beoly, Elias de Combe, Roger de Newton, and others, | All of them the fonnes of Berkeleeyes, and difcended from the loynes of Robert fonne of Harding; **But** never any called, or written, or firmed Harding, as his firname.

Claus: 29: H: 3.
m: 19.
paten: 30: H: 3.
Fin: 30: H: 3. m:
13.
diuerfæ Cartæ in
Castro de Berkeley.
Burton: fol:
100
in Melton
Mowbray.

Newl: ped: 3: H:
7 in Castro de
Berkeley.

Anno: 1626.

ffor any man to affirme, That the Sirname or cognome of George nowe Lord Berkeley is Harding, or Fitz Harding, (as some of late have written) argueth they have not plowed in theis old feilds, **A**bbot Newland was the first (in effect) that god-fathered this family with that name, But, I am sure, it never was approved by the parents, either at the font, nor at the Bishops confirmacon; with which Abbot it was buried, till ignorance hath of late agayne raked it out of the dust. **T**he name of the present Lo: George might aswell or more properly bee written, Georgius filius Thomæ, or George Ap Thomas, or George Fitz Thomas, because Thomas was his Father, Or George Harrifon, or George Henries sonne, because he was grandchild and heire to the late lord Henry.

Let none of this family doubt, but that theire antient market Towne, Manor, and Honor of Berkeley, gave them theire sirname of Berkeley: **T**he ffrench particle (**de**) but of late yeares omitted in the suspension of the Barony as after followeth: **A**t noe tyme hath any yonger sonne of the first Lord, or of his father, bene sirnamed **H**arding or Fitz **H**arding to this daye. **N**eith~~er~~ hath any yonger brother, or other male branch of this family inhabitinge in England, Scotland, France, or Ireland, had any other Sirname, then, Berkeley, in anye generation, otherwise then as is aforesaid, whereof I am most assured.

doctor John Wall
of Christ Church
in Oxford 1627.

I learned divine in his Epistle dedicatory to the nowe Lo: George before a printed Sermon of his, hath lately told us, there is a blessing in this name, as that Berek-clie in the sacred tongue, is dei benedictio, a blessing of god, whence hee would derive his. **I** must borrowe his leave to answere him out of a verfe in his owne Sermon.

The Sermon hath
tempus eget.

Non tali auxilio, nec defensor[um]ibus istis, nomen eget,
Berkeley reiects an Hebrewe derivation
A Saxon market Towne, hath gev'n his nomynacon.

Their name is derived from the place, And the place of two Old Saxon words, **B**erk, which is birch; and, lei which after, Verftegan, | is place, And foe from the place of birch trees (whereof the great, old, and worne stumps of many of that kind are yet there remayninge) or from, ley, which is water, a scytuation most agreeable, for three fourth parts (in the groves of those trees) compassed therewith; **T**o which later I rayther inclyne, because all the neighboringe Townes of that termination, as Nibley, Bradley, Cowley, Dursley, Vley, Wortley, Alderley, Hillesley, Stanley, and others, haue rivers and brookes of waters runninge either through, or close by them,

them, or both; whereof more at large in my description of the hundred of Berkeley. **But** for the worthy Doctors with, That dei benedictio, being his name (as hee sayth) may also bee his portion, at least, his, viaticum, and conduct at home and abroad, I ioyne therein, with thankfullnes for his prayer. **And** it may not vnfitly here bee noted, That there is not any other Towne or place found in England, either before, or for 160 yeares at least after theis tymes, to have bene called by the name of Berkeley, nor any family called by the Sirname of Berkeley, other then such as are descended from the lords of this market Towne of Berkeley, whose descents are in theis collections drawne downe from their first Stock-fathers to the closing of this History: **Howbeit**, I am not ignorant that three or more families of note have of late yeares changed their names from Bertdote, Bertelote, Bertlot, Bartlet, Bartelot, Berklowe, Barkenlawe, to Berkeley, whom I leave to the Heralds Visitations.

At this tyme in Italy.

And it may heere bee noted also, That this family (in a kind of singularity) hath in their promotions to higher honor, rather Chosen to Dignifye and inoble themselves with their owne name, then with anye other name or place of honor, As appeareth in Wilm Lo: Berkeley created Viscount, by the name of Viscount Berkeley; And after Marques, by the name of Marques Berkeley: **Yet** I am not ignorant, That a Manor place in New forrest in Hampshire, **Nor** that an other in Somersethshire neere Frome, **Nor** that ane other in the Diocefs of Worcester sometime belonging to the Priory Alien of Tickford, are called by the name of Berkelei, As also a Manor in Wymondham called Berkeley Manor, **But** all of them have had theire nomynation from this family and their feifins of them, as hundreds of others the like, from antient families have had. |

claus. 37. E: 3.
m: 15.
Fin: 7. H: 5. m:
6. 31
pat: 21. E: 3. ps.
1. m. 1
pat: 35. E: 3. pars.
3. m: 30. 37.
Claus: 4. R: 2.
m. 8.
pat: 4. R: 2. pars.
1 m: 39.

And withall I wish this family to observe the true orthography of their name, which is with the letter, E in each fillable, And not with the letter: A, as Berkeley, not otherwise, **Neither** have I seene it once otherwise in more then three hundred yeares togeather in many thowfands of writings, **And** I am confident, That a longer Constancye, hath not with lesse variation bene observed in any English family of three Sillables, whatsoever, **But** to write (Barcklay) or any otherwise then (Berkeley) is to offer violence and iniustice to this antient name, wherein to convince all contradiction, I have in the entrance to each lords life sett downe the punctuall and precise manner of spellinge and writinge of their names in the selfe same letters, as was vsed in each of those lords dayes wherein they severally lyved, in the records, Deeds, Accompts, Court rolls, and writings of theire owne tymes, mentioning them

102

Berkeley

Berkeley hath bene a name in ages past
Still highly reverenc't and greatly grac't

His Almes and Devotions

Having fetled his estate in his Barony with King Richard and King John as aforefayd, the next part of his life vntill his entry into rebellion was divided betweene his three howfes of Berkeley caſtle, Portbury and Bedmiſter, And in which of them foever, or where elſe, reſidinge, ſuch were his Almes and giſts of lands, to Abbyes, pryories, Hoſpitals and Chantries, That, beinge bound together, they would ſeeme equall to the maſſy lump of his grandfathers donations at his foundation of S^t Auguſtines Monaſtery by Briſtoll, whereof ſome of the principall nowe followe

carta cum decano
Briſtoll.

103

Aug: chart: fol: 45.

46. 47. 48.

Carta in Caſtro
de Berkeley.

After the paterne of his pious Anceſtors, hee not onely confirmeth to the Abbot of this Monaſtery of S^t Auguſtines whatſoever had bene | before given by his grandfather (who to the honor of god had founded that houſe (ſaith his Deed) and after by his father, (recitinge the particulars of both their donations,) **B**ut alſo himſelfe nowe giveth all his houſes, lands, and Tenements within the walls of Briſtoll, which as the Deede expreſſeth were many and greate, Coniuringe the Abbot and Covent to celebrate therefore yearly the Aniverſaries of himſelfe and of Julyan his firſt wife, and of Lucye his ſecond wife, on the three ſeverall dayes of their deaths, which the ſayd Abbot and wholl Covent in a full aſſembly (called their chapter) whereat the ſayd lord in perſon was preſent amongſt them, bound themſelves to perſorme, vnder the danger of Anathema, a curſe to befall them and their ſucceſſors, if they neglected it; **T**he firſt ſtraîne of that kind, which any Deed mentioneth that I have met withall in this family

Carta in Caſtro
de Berkeley.

Aug: chart: fo: 45.

Aug: chart: fol: 47.
48. 119. 120.

This lord alſo gave to that monaſtery divers lands and Tenements in his Manor of Hame, **A**nd all his great wood called Iwecumbe ats Ewcombe in Nibley within his Manor of Wotton: And gave alſo to that monaſtery all his land of Bagrugge lately by him purchaſed of William Fremonte, ſayinge (in his conveyance) That hee gave to them theiſ lands for their larger maintenance and better enter-tayninge of ſtrangers.

Carta in Caſtro
de Berkeley.

Aug: chart: fol: 52

53.

carta cū Decano
Briſtoll :

Hee alſo further gave to that Monaſtery a meſſuage and yard land in Cowley, And alſo his watermill of Berkeley neere lockfaſt bridge, with the Cuſtome and mulcture of his Caſtle of Berkeley, **A**nd one meſſuage and yard land neer adioyninge to

to the said Mill (which are at this daye the possessions of Machin and Bridger of the valew of 120^{li} per Anñ; fayeing in his conveyance) That hee gave theis lands for the maintenance of twoe lampes to burne perpetually in the Church of the said monastery, the one before the high altar, and the other before the altar, whereat our ladyes masse is celebrated.

Hee further gave to that monastery one other messuage and yard land in Hulmancote in the parish of Cowley (worth at this day . 70^{li} per Anñ) to buy two quarters of pure wheat yearly from thence, and wine, for oblations, for consecration of the body and bloud of our lord Jesus Christ. And aswell in a full chapter in the sayd Monastery as publikey at Berkeley Church caused all those to bee excommunicated, that should in any age then after presume to infringe this grant.

carta in castro
de Berkeley.

This lord Robert gave also to the Church of Berkeley and our | blessed lady thereof and for the maintenance of her seruice there, divers lands in that parish as thee deeds doe tell us.

104
Aug: chart : fo: 44
Cart: in Castro
de Berkeley:

To the monastery of Bradenstocke, hee gave the manor of Westcote which hee had bought of Peter of Vley, in pios vsus, as aforefayd.

Rot: cart: 16. H:
3 m : 6.

To the monastery of our blessed lady Mary of Kingeswood by Wotton, this lord for the foules helth of himselfe and of his two wives Julian and Lucy and of his Antecessors and Successors, gave one yard land in his Manor of Wotton, at Swiny, and the watermill and lands adioyninge which Richard Bisford then held, To which Deed are one and twenty witneses. Theis are worth . 160^{li} per Anñ at this day.

Carta in Castro
de Berkeley.

To the same Monastery of Kingeswood, this lord for the foules health of his sayd wife Julyan, gave also one messuage and yard land in Pockhampton in Hinton, and pasture for feaven sowes and one bore with their piggs of one yeare old, and pasture for fifty sheep amongst his tenants there, And certaine fisshinge places in Seaverne neere Chiselfhungre, and freedome to fish in the sayd River with their boats and nets in length & bredth as farr as his dominion extends.

Carta in Castro
de Berkeley:

To the sayd Monastery of Kingeswood, this lord also gave a water Mill and divers lands adioyninge at Wortley : And the land called Bradpen, and pasture for one hundred sheep at Wortley, with divers lands, and rents there ; And his pretious gold ringe, et alia multa bona, and many other good things, ad fabricam ecclesiæ, to the fabricke of the Church there as the words of an old register are.

Cartulog: de
Kingeswood in
Castro de Berkeley:

Vetus registr. in
Castro de Berkeley.

And

Carta in Castro
de Berkeley.

And also gave to the fayd Monastery fower yard land at Erlingham, and divers perticular fishings there ; halfe a yard land at Ryham ; his newe mill at Berkeley and one yard land neere theirtho ; And one yard land at Hulmancote ; and one yard land at Swonhunger ; And his wood called Iwecombe, and all his land within and without the walls of Bristoll, And the lands that were Maurice his brothers.

Aug : chart : fol :
107.

This lord also founded a Chantree in his Chapple at Portbury where his residence often was, makeing an agreement with the Abbot of S^t Auguftines, howe the Offeringes given at the said Chapple should bee divided, betweene the said Chantry preift, and the mother Church of Portbury, which belonged to the fayd Abbot : |

105
Carta in Castro
de Berkeley.

This lord also gave to the priory of Stanley which was a Cell to the Abby of S^t Peters of Glouc ; a water mill and divers lands in Cowley, worth fowerfcore pounds per Anⁿ at this day.

duæ Cartæ in
Castro de Berkeley.

And to the Priory of Sudwike, this lord gave divers Tenements in the Towne of Berkeley, which afterwards the Prior and Covent therof fold to the Abbot of S^t Auguftines.

Carta in Castro
de Berkeley.

And to the bretheren of the Hospitall of Jerufalem, this lord gave divers lands within his Manor of Hame, and divers howfes in Berkeley Towne, which they held till the diffolution of their Monastery fcytuate within the parish of Clarkenwell London, one whereof is the comon Taverne wherein James Atwood nowe dwelleth : Anno . 1622.

Carta in Castro
de Berkeley.

This lord also founded a Chantry in his mansion house in his Manor of Bedminster, **And** because the Re^ctor of the parish there gave consent that this Chantry preift should have the Offeringes of the house and family of this lord and of strangers resorting to that Oratory frely to dispose of, (baptisme to his church reserved) the fayd lord in recompence of this kindnes, gave a messuage and divers lands in Bedminster to the fayd parish Church for ever.

Carta in Castro
de Berkeley.

And foe extended was this lords largesse in guift of lands to the prior and Covent of Christs Church of Twinham, That in remuneration thereof, for the foules helth of himselfe, and of his wives, and of his father and mother, and of the foules of his heires, they granted to this lord, one Masse dayly to bee fayd in their Church for all faythfull deceased **And** for that cause would receive and keepe one Chanon
more

more in their Church to singe for the sayd Soules ; And they further granted, comunion and participation to this lord of all benefitts and meritts, which are done, or hereafter shall bee in their Church: And to have his name, after his death, written in their martirologe, That having his Aniverfary recited, divine prayers might bee celebrated for him as for a founder.

Also to the Chanons of Hereford, this lord gave two yard land in his Manor of Arlingham, which afterwards was aliyened to the Abbot of S' Augustines.

Carta in Castro
de Berkeley.

This lord also founded the faire hospitall of S' Katherines a | litle without Bristowe, within his Manor of Bedminster, which to this day keepeth the name, though the founders pious intention bee changed, as after followeth in theis relations, whereto his brother and heire the lord Thomas was a singular benefactor, As the words, in Abbot Newland are.

106
Newl : ped : et
multi alij in Castro
de Berk.
S' Katherines
hospital.

Many further prints of this lords ampler devotions I have a far off discerned, which I omitt, (as though out all theis relations, I doe in each lords life, the like) mentioninge onely, what, in ipfis terminis, in the deeds themselves I have sene and handled. And to the memory of this repentant lord I confidently present to his posterity, That howe raginge or rebellious foever in Armes and bloud, ten yeares of his life, in the last of King John, were poured out against his Kinge and soveraigne lord ; yet not one lord, in the wholl bundle of his generations, more devoutly sacrificed the fower last of his life after his returne to allegiance, then hee ; devoting each day to the makeinge an Attonement with God, dayly publishinge by workes of Charity and devotion, his true contrition and repentance. In which last part of his life almost all the former guifts of Almes and Charity and many more, were offered for expiation.

Sinnes past shall never torment thee,
If sinnes present doe not delight thee,

In which tyme also hee gave to Robert Bastard and his heires for ever in recompence of his Service, a messuage and two yard land in Clapton, and fower Acres of meadowe in Parham within his Manor of Hame.

Carta in Castro
de Berkeley.

And to Eustace his Butler at Barkeley and to his heires in recompence of his service, hee gave a Messuage and halfe a yard land within his sayd Manor of Hame: Some others of like nature, I omit.

Carta in Castro
de Berkeley.

His miscellaines or various passages, not properly reduced under the former titles

107 **And now** I returne to workes of an other colour, **In the** sixth of King Richard the first, This lords barony was taxed at | twenty shillings for each Knights ffee whereby it was holden towards the redemption of the kinge then a prifoner in his returne from the holy land, **And** in the Eighth yeare of that kinge, this lord payd after the same rate and manner, towards the Kings warrs in Normandy.

Red book in the
Exchequer.
Rot : pip : 6 : et 8
R : 1.

And in the first of Kinge John towards the same warrs, when the escuage was seffed but at xiiij^d for each Knights ffee, this lord payed after the same manner.

Rot : terr : dañ et
conc : 6 Johis. m.
16. 20.

In the sixth yeare of King John, the Kinge by a spetiall writ directed to his Treasorer and Barons of his Excheq, dated the first of October, acquitted this lord Robert of thirty markes fyne for not going with him into France against the Frēch King vpon escuage taxed, And demanded of him according to the tenure of Berkeley.

ead : m : 20.
claus : 8 : H : 3.
pars : 2. m : 9.
fin : roll : 8. H : 3

And the xxjth of July the same yeare granted to this lord the moyety of Portbury sometyme (faith the record) the land of Herebert de Morevill the Norman, and then seised into the Kings hands, occasioned by the revolt of Normandy : To hold at the Kings pleasure, answering the profits to his Exchequer, **Wherem** I will not touch vpon the kings hard hand, nor the mistery of State, in seazinge those lands which the Normans sometymes held in England, because theire sonnes or grandchildrē in Normandy had nowe revolted from him to the French Kinge, which many generations before, theire forefathers had aliyed vpon valuable considerations to the subiects of England.

Claus : 9 Johis.

And the twentieth of September in the Nynth yeare of Kinge John, the Kinge by writt signified to the Barons of his Exchequer, That this lord Robert had payd him the bay horfe (equum bauzañ) which hee owed him, And therefore should award noe further proces against him.

Rot : pipæ. 4.
et 5. Johis.

108 **This** lord Robert and Gerrard of Athia, by Colour of theire office of Constable of the Castle of Bristowe, and of the 140^{li} rent which they payd to Kinge John for the farme of Bristowe towne, which in the fourth, fifth, and some other yeares of his raigne, they | rented of that Kinge vnder pretence of an old custome in that kinde, (made stronger by their present authoritie and power there) tooke sowerpence of every bracina, brewing of ale within the Towne of Bristowe, besides twoe pence

pence which the Constables of Bristoll of old accustomed lawfully to take, which extortion, since havinge bene contynued, the Inhabitants of Bristoll for thirty markes syne nowe bought of King Henry the third in the xiiijth of his raigne, And obtayned his chartar thenceforth to pay but two pence out of a brewinge towards suppartion of the Constable of the Castle.

Carta : 14 : H : 3
m : 12
Rot. pipæ : 15 H :
3. sub titulo nova
oblata.
Nova oblata codē
Anno :

And in the Chartar roll of the nynth yeare of King John, I observed, this lord Robert to bee a witnes in the foote of divers of y^e Kings Chartars and grants, whereby it is gathered, according to the course of those tymes, That either hee was then of that Kings Privy Counsell, or els an honorable Officer in his houshold or both.

Cart. 9. Johis
m: 6. n^o 61. 63. &c.

But shortly after by what meanes I finde not, vnles for refuseinge, as some other Barons did, to followe the Kinge in his warrs into France, for not confirming the lawes of King Henry the first called S^t Edwards Lawes, But foe angred was Kinge John That about the xijth of his raigne, hee feised the Castle and landes of this lord Robert into his hands ; And to restore them, drewe from him in the yeare after, a syne of two thousand markes, And withall drewe from him an hundred markes more to have a faire tryall by his peers for his life : **let** the words themselves out of the pipe rolls of those yeares tell all I have yett found of this passage ; Robertus de Berkelai debet 2000 marcas de fine, et centum marcas pro habendo rationabili iudicio per pares suos, Robert de Berkelay owes the Kinge 2000 markes for his fine, and one hundred markes more to have a reasonable tryall by his Peers. **And** in the xiiijth yeare thus ; Robertus de Berkelai reddit compm de 2000 marcas pro habendis terris suis et castro suo, unde diffesitus fuit occone bnuot : regis ; Ita quod 1000 marcas reddat a festo Scti Michis in Anno xiiij^{to} in vnū annū ad quatuor terminos et in sequenti Anno . 500 marcas : In tñro 250^{li} et debet . 1080^{li} 16^s 8^d | et centum marcas pro habendo iudicio : Idem reddit compm de eodem debito in tñro. 200^{li} et in pardonis ipsi Robto . 50^{li} per bñe regis et debet . 900^{li} ; Robert de Berkeley makes his accompt for 2000 markes which hee owes to the Kinge for the rehaweinge of his Castle and landes whereof hee was put out by reason of the Kings displeasure, of which hee is to paye one thousand markes at the fower vsuall termes in the next yeare, and five hundred markes in the yeare followinge, now payde . 250^{li} in money, And soe owes 1083^{li} 6^s 8^d besides one hundred markes for his fayd triall : Afterwards hee payes . 200^{li} of the fayd debt, and fifty pownds the Kinge by his writ pardons him, and then owes 900^{li} : **Whiche** was vnpayd till the Kings death **And** after till the third yeare of King Henry the third, when it was stalled to bee payd by one hundred

Rot. pipæ : 13
Johis

Rot. pip : 14. Johis
Glouc: novaoblata.

109

Rot: pip: 16 Johis
et 2. 3. H: 3 et
4: H: 3

Rot: pipæ. 15. H: hundred pound per Anñ; And accordingly payd by Thomas his brother and heire,
3. but not cleered till the fifteenth yeare of Henry the third.

Rot: fin: 15 Johis
1 et. 2 pars: m: 5.

And thus this lord, havinge peececd vp a crafy peece with his Kinge, hee the xxixth of June in the fifteenth of his raigne covenants with the kinge to furnifh ten Knights (bene paratos equis et armis) with horses and Armes well Armed, to attend him in his warres. in France for one wholl yeare at his owne charges, to be accompted from the day of theire cominge to Portefmouth there to take shippinge in foe well furnished manner as should bee approved of by those appoynted for the viewe of the musters, foe that the Kinge would discharge hime of five hundred markes which hee owed him, And after the end of that yeare he would pay the Kinge the residue of that det (not defalked in his ten Knights wages) at such dayes as the King

Eodem rot. m. 2
1 et 2 pars. m. 2

would then give him, **And** the xxixth of December followinge the former agreement was thus altered, **That** this lord should goe in perfon with five onely of his Knights this yeare to bee ready by the xxijth of next month, and the other the next yeare after, to the end (faith the record) that the knights might bee the better prepared, And this lord Robertt in part eafed, And to bee difchardged of the whole fine,

Claus. rolls 15
Johis.

goeinge alfo the second yeare in perfon beyond Seas with the Kinge: **And** the twentieth of January followinge the fame fifteenth yeare, the Kinge, as earnest of
IIIO his newe favor, gave unto him | the custody of his Forest at Alwefton (betweene Berkeley and Bristoll not then difafforested nor turned into a parke as shortly after) And alfo all the lands of Richard the sonne of Edwin, and of Robert de Wený, and of Robert de Weston withall their goods and Chattells, comaundinge by his writ Allexander de Keilway Custos thereof, to deliver them, and to give this lord Seizin of the lands, And then forthwith to come to him.

His rebellion against the Kinge

Stow: fo: 171.
Math. Paris fol:
320. 337.
rot. pip: 3: H: 3.

Wendover
manufcr: cū Robto
Cotton Barr:
Mathew Paris hist.
fol: 74. 320. this
Charter of: H: 1.
is expreffed:

Mathew Paris. 337.
et: 339.

The Kinge havinge finished his warrs beyond Seas, the xiiijth of November in the sixteenth yeare of his raigne Anno 1214. landed in England, and this lord Robert with him, who had there served him in Poictien with five knights for halfe a yeare, **And** havinge since his last reconciliation (as it seemes) but dissembled with his Prince nowe changeth his loyalte, And as one of the discontented peeres of the realme, vnder a Counterfeit shewe of holynes (quasi orationis gratia) faith Mathewe Paris, (licet in causa aliud fuisset) goeth on pilgrimage to S' Edmondsbury in Suffolke, where meeting with other Earls and Barons of the like humor, they all in S' Edmonds Church sware before the high Altar, That if the Kinge would not grant the lawes and liberties contayned in the Charter of King Henry the first, comonly called

called Kinge Edwards lawes, to bee by them and the whole Kingdome thenceforth enioyed, they would makes warres agnſt him and withdraw themselves from out of his allegiance, vntill vnder his Seale hee should ratifye and confirme the same, Agreeinge to repayre after Christmas to the Kinge with this overture, And in the meane space to provide themselves of Armor, Horſes and Munition.

Noe durt foe deepe, noe path foe ſlippery,
Which i'lle reſuſe, ere looſe my liberty :

And ſorry I am, That Wendover a learned hiftorian lyving | in this tyme (ending his hiftory in the xxijth yeare from hence) bringeth in this lord, by the name of Robert de Berkelay (miſprinted Robert de Brakeſley in Mathew Paris, and Hollingſhead) to bee a principall head amongſt the Barons in this conſpiracy, As alſoe doe many others, and Berkeley Caſtle one of the places of their aſſembly and Rendezvous.

III

Roger de Wend-
over manuſcr: cum
Robto Cotton,
baroneto.
Math. Paris.
Hollingſhead.
Stow et al.

The lords arme, come to the Kings preſence, vrge him to rule by his old lawes, and abrogate his newe, derived from his will, ready by force to conſtrayne him, if hee deny : The King denieth, The barons take to Armes at Stamford, Anno 1215 in the ſeaventeenth yeare of King John and Mathewe Paris an Hiftorigrapher of that tyme notinge, qui principes fuere in exactione libertatum, who were the cheife princes ſtandinge for their liberties, hath this lord Robert one of that honorable Catalogue : They march on to Berkeley and ſend their greevances to the Kinge, nameinge their hoſt the Army of God and holy Church : They enter London, And by Joynt letters ſollicit all the other Barons that had not yet ioyned with them threatning if they reſuſed, to deſtroy them and theirs, as enemies to God, and Rebels to the Church : The moſt part obaye and ioyne and leave the Kinge : The kinge, from Windſor ſends to the lords to London, promiſinge to ſatisſye their deſyres : They repayre to him, and pitche their Tents in Runninge mead betweene Stanes and Windſor, where with the Barons and Kinge was all the nobility of England, and Comons innumerable. The kinge (much againſt ſtomake) yealdeth and ſubſcribeth the lawes and liberties demaunded, the ſame in effect, with Magna Charta and Charta de Foreſta, ſending copies thereof to bee proclaymed in all the Shires of England, and after to bee kept in ſeverall monaſteries, And giveth power to five and twenty of the graveſt perſons to ſee the ſame performed, writeing accordingly to all the Sheriffs of England for obſervance, And the Pope by his bull (acted by his legate then with the Kinge) confirmeth alſoe this grant and confirmation, denouncing a curſe to the infringers : then which noething could bee then deviſed

Mathew Paris
fol: 339:

deviſed more ſtronge; And this was in June, Anno. 1215. in the ſeventeenth yeare of Kinge John: **Howbe** it, ſoone after the kinge repents, and purpoſeth to undoe & vnfweare | what to his Barons hee had done and ſworne, diſpatcheth to the Pope a complaint againſt his Barons, beſeeching him to make voyd what hee had ſworne and done, and to comand obedience to his Barons vnder excommunication: **The** pope decreeth all the preuiledges granted by the Kinge, as alſo his Oath to bee voyd, as extorted by a rebellious attempt, **And** writes to the Barons, vpon payne of his great curſe, to obey their Kinge, and not to attempt the breach of his peace. **The** Barons exclayme againſt the Kings uniuſt dealinge, and againſt the popes wrongfull Judgment, pronounced againſt them vnheard, And contemninge his Decree and inhibition, reſolve by dint of ſworde to trye their cauſe, more bent againſt their Kinge in maintenance of their libertyes, then before: **Of** which number this lord Robert is one.

Claus: rolls. 18.
Johi m: 4. et: 6.
Cartæ. 18. Johis
m. 4.

Rot. claus: 18.
Johis m: 4.

113
Rot. claus: 18.
Johis: m: 3.

The Kinge to his ayde draweth mighty forces from forren partes, **And** havinge readvertiſed the Pope of the willfull reſolution of his Rebellious Barons, the Pope adiudgeth them enimies to the Kinge and Church and excommunicateth them, firſt in generall, after by name: **The** Kinge divides his huge and numerous Army into two partes, and miſerably waſteth the Barons lands and their Tenants, whereby they loſt in manner all their poſſeſſions, **And** Berkeley Caſtle cometh into the hands of the angry Kinge, who therein placeth Hugo de Vivon lord of Bitton, his Conſtable thereof, where alſo the Kinge imprifoneth many of them hee tooke in his warrs: **And** haveing ſeized into his hands all the lands thereto belonginge, appoynteth by writt dated the fixth of July in the xvijth of his raigne, the profitts thereof to the maintenance of his Caſtle of Briſtoll, where hee kept alſo a garrifon **And** (amongſt ſome other the like particular paſſages reflectinge vpon this lord Robert) the xxiiijth of Auguſt in the foreſayd yeare comaundeth the ſayd Conſtable to maintayne Nicholas de Feiland in right of Margarett the daughter of Otho in poſſeſſion of her lands in Woodmancote and Durſeley in as ample manner as ſhe had them before this lord Robert did diſſeize her, not permittinge that any wrong bee done to him, or her, but to protect and defend | them and theirs, **And** the Kinge haveing alſo taken from this Lord Robert his fiſhing weares at Arlingham in the hundred of Berkeley (where hee rented one other called Gerne of y^e pryor of Ferly) hee by his writt cōmanded the Sherife of the County to make him a good paire of horſpots for bringinge the fiſh vnto him, And he ſhould bee allowed the charges thereof vpon his account in the Excheq.

The Barons miſerably afflicted with Cruell waſts and devaſtatiōs of their lands, which the Kinge as Maſter of the feild made on the one parte, **And** by the enmity and

and excommunication of the pope on the other parte, they desperately and treacherously refolved, and accordingly forthwith sent vnto Lewis the sonne of Phillipp Kinge of France, mortall enemy to King John, offeringe him the Crowne of England, with fower and twenty of their sonnes and Nephewes in hostage for performance of their Covenants, **Lewis** accepteth of the offer, and sendeth one and forty shippes for present comfort and succor, And with much speed followeth himselfe with 680 shippes more, stuffed with Soldiers and worthy Commanders : **And** upon his arrivall in England, the Barons forthwith repaire vnto him, and sweare to him fealty, And doe to him homage as to their true and naturall prince. **And** Lewis with shewe of great curtesey returneth to them assurance of mayntaininge of their Lawes and restitution of their possessions and dignities : **Of** which disloyall number this Lord Robert de Berkeley is one, and not the least.

Math : Paris. 373
Wendover et al :

The pope from Kinge John his feodetary is informed of y^e Barons practice, And Lewis attempt, who sends to the French Kinge Father of Lewis, comaunding him to call backe his sonne, And Lewis not to goe in payne of cursinge, but neyther of them obey.

Wendover
manufr. temp :
H : 3.
Math : Paris et al :

King John is assisted by Gwalo the popes legat, who by name excommunicateth Lewis with all his factors and complices : warres are made, blood spilt, and Castles taken dayly by both parties in most Corners of the land, every where most mercilesly pillaged, wasted, and consumed ; A tyme more miserable then which the funne hath not since seene in England.

Hollingsh : in
vita regis Johis.

Count Melun a french Lord and of inward Counsell with Lewis | on his death bed, revealed to some of the English Barons, That Lewis and sixteene lords of France (himselfe being one) had secretly sworne to kill and banish all the English Nobility which now served him, and persecuted their owne Kinge (whereof this Lord Robert was one) and to disinherite all their lynage of such inheritances as they now held in England, after hee had prevailed ; which to bee true, hee tooke vpon the perill of his foule.

114
Math. Pariso:384

The Barons case in their feaventeene and eightene yeares of King John, was thus ; Such of their Castles as King John tooke, hee stored with his soldiars their enemies, who wasted their lands ; **Such** Castles as Lewis by their Armes obtayned from King John (though their owne) hee placed Frenchmen in, not themselves : **Each** Sunday and holiday they were openly accursed by name in every Church,

Not

Wendover Manu : **Not** esteemed of by Lewis : **Not** put in trust : **Not** placed to beare rule ; Seldome called to Counsell, **Not** vsed familiarly by Lewis or his French Lords **Not** such of them as murmured hereat, were by Lewis vpbraided, and called Traytors, **Soe** that many of them inwardly relented, **Amongst** whom this Lord Robert was one, who had the better meanes for reconciliation with the Kinge, in that Julian his then wife was neece to William Marshall Earle of Pembroke th'elder, who had marryed Ellenor the Kings sister, and the principall man that contynned faythfull with King John (though his eldest sonne William adhered to Lewis) which was foe profecuted, That whilest Kinge John laye with his army at Berkeley the twentieth of July in the Eighteenth of his raigne, hee obtayned tres of safe conduct of that date, to come and returne, and comon with the Kinge from the morrowe after S^t Margarets day (being the second day after) for fower dayes, which was the tyme of the Kings abode at Berkeley, as the teste of patents and writs then there sealed, doe shewe : **Notwith** this Lord not then concluding his peace, hee obtayned other tres of safe conduct, dated the Seaventh of August followinge at Whitchurch in Shropshire, to endure for fiftene dayes, whereby hee so well prepared his reconciliation with the kinge (though not then effected) That the third of September followinge the Kinge awarded his Comission | in the behalfe of the lady Julian his wife (calling her Neece to W^{illm} Earle Marshall aforesayd) to S. de malo leone (nowe Manly) comanding him to deliver to her for her sustenance, the manor of Came which hee had granted to her at thirty poundes a yeare, but if it valewed more, Then shew to render backe the over-plus into the Exchequer.

Rot: pat: 18. Johis
m: 5. n^o 54.

Rot: predict: m. 5
n^o 49.

115

Rot: Claus: 18
Johis. m: 3.

And thus stood this Lord Robert and his estate, excōmunicated, accursed, out of the Kings favor and protection, without castle or lands, his farme houses and stockes of Cattle wasted and consumed, And himfelse a supplyant for mercye and pardon, when the Kinge dyeth the nyneeteenth of the next month of October, Anno. 1216 in the Eighteenth of his raigne.

King John being dead, Henry the third his sonne succeeded, then but nyne yeares old, And the principall governm^t of the yonge Kinge and Kingdome was comitted to the sayd William Marshall Earle of Penbrooke, whereby a more ready gate was opened for this Lords entry into reconciliation : whereupon the Seaventeenth of November next, he hath letters of safe come, safe goe, and safe staye for five dayes, And the sixteenth of February followinge, the like agayne to endure till midlent sunday, when hee makes his peace : And the xiiijth & fiftenth of March and xiiijth and xvijth of June followinge, with much difficulty vpon hard conditions, obtaynes

Rot. claus. 1: H: 3
m: 1. et. 12.
Rot. claus. 1. H. 3
m: 7. 11. 16. et 22
pars. 1. et: 2.

obtaines the kinges feverall writts to the Sheriffs of Gloucester and Somersethshires, and to the sayd Hugh de Vivon givinge them to vnderstand, That the said Lord Robert was returned, ad fidem et servicium dñi regis, into the Kings allegiance and favor, And therefore accordinge to the agreement by him made with the sayd Earle of Pembroke and other the Kings Counsell, they (takinge also security for forty pownds) should restore unto him all his lands save the Castle and Towne of Berkeley, which they should still retayne to the Kings vfe.

And thus, after a years attendance, by the benefitt of y^e tymes alteration, and for a greate fine, this Lord Robert (with Wifm the sayd Earles sonne, William Lord Mowbray, Maurice de Gant his cozen German, Osbert Gifford his Nephewe, and others) is received into like favor and pardon. |

Holweitt this Lord could never gett foote into his Castle of Berkeley all his life tyme, nor his brother and heire that succceeded him, till the Eighth yeare of this kings raigne, as after followeth in his life. 116

The poet said well ————— vltima semper.

Expectanda dies homini est, diciq; beatus
Ante obitum nemo, supremaq; funera debet.

When that our debt to nature hath bene payde,
And wee in grave, clofed with Earth are layd,
Then not before, wee deemd are to bee,
Dead in blifs, or fallen by miserie.

His Wives

The first wife of this Lord Robert was Julian de ponte arche daughter of William de pontelargo or pontearchie and Neece to that mirror of Nobility Wifm Earle Marischall th'elder Earle of Penbrooke: who had that honor (after the manner of Queenes) to bee in her husbands life tyme, a purchaser, and seller also of land of inheritance in her owne name in Fee simple, without her husbands being either named or ioyninge with her in such conveyances, other then that shee was nowe wife to Robert de Berkeleia, In which manner also shee gave divers lands to divers Monasteries in Frankalmoigne, And such conveyances flood good to the Donees and Feoffees and their heires & successors, as many of their alienations of those lands, longe after made doe witnesse.

Rot: Norm: 1.
Johis.
Rot: claus. 18.
Johis m: 3. 4.
plita Pasch: 47
H: 3. rot: 7.
Aug: chart: fol: 48.
97. 98. in cast^r
de Berkeley.
divers cartæ in
Castro de Berkeley.
cartæ cum decano
Brittoll:

Newl: pedeg: in
Castro de Berkley.

This Lady Julian deceased the Fifteenth of November in the second yeare of Kinge Henry the third, Anno 1217. And lyeth buryed in the South Ile of the sayd Monastery vnder a white free stone, happiest in this good happ, that shee in peace imbraced her husband eight months after his peace made with the Kinge before she dyed.

117
Vetus manusc: in
Castro de Berkley.
Aug: chart: fo: 40.
45.
plita Trin: 6. H:
3 rot: 6.
Rot. claus. 4. H:
3. m: 7.
Claus: 15. H: 3 m:
20.
Claus. 6: H: 3.
ps. 1.
plita corā rege
Mich: 52. H: 3
rot. 6 in dorso.

His second wife was Lucy whom hee maryed not above two yeares | before his death who surviued her husband, And was remarryed to Hugh de Gurney sonne of Hugh, And dyed the eighteenth daye of January Anno 1234: And lyeth buryed neere the sayd Julian vnder an other white free stone besides the rood Altar in the entry of the fourth Ile in the said Monastery: Shee was endowed by virtue of the Kings writs, of the manor of Bedminster, and of Radclive-freete in y^e County of Somersfett, and of the Mannors of Wotton and Slimbridge in the County of Glouc; and of other landes, as followeth in the life of the next Lord.

For the foules health of both which wives, aswell after the death of the first, as in the life of the later, this lord gave much land in divers places to divers religious Orders, as before is touched.

His death and place of buriall

Vana salus hominis, memor esto quod morieris

To day a Man, too morrowe none, our selves each houre behold,
Then thinke on death, eare life be gone, and body layd in mould.

Carta in Castro
de Berkeley.
Newl: pede: et 2
al: in cast: de
Berkley.
Treviſa in
Polichron. lib: 7.
cap: 7 Caxton.

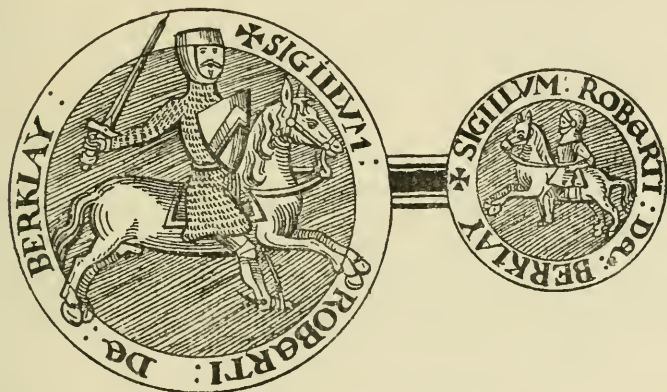
The thirteenth day of May approacheth in the fourth yeare of the raigne of Kinge Henry the third, Anno. 1220. wherein this lord payeth his tribute to mortalityte, then aged fifty five yeares or thereabouts, And was buryed in the North Ile of the church of y^e Monastery of S^t Auguſtines over against the high Altar, in a Moncks Cowle, an vsuall fashion for great peeres in those tymes esteemed, as an annulet or defenſative to the foule, and as a Scala cæli, a ladder of life eternall, after he had continued lord one and thirty yeares wantinge one month. **Of** whom Abbott Newland hath thus **for** this good Lord S^t Robert de Berkeley is yearly done a ſpetiall memoriall at the Vigile of his Obitt, placebo et dirige, ſolemly, And on the morrow commendations; the pryor ſayinge the Maſſe, And a Doale then after diſpoſed vnder this forme, **The** Abbot hath a Cake of two pence price and twoe caſts of bread of three to a peny, and fower pence for wine. **And** every Channon

Newl: ped. p^rdic^t
Aug: mortiloge
c^m Decano Briſtol.

Channon a cake, price one penny, but the prior, subprior and | Almener have twoe 118
 penny Cakes, And every Chanon a Cast of bread and two pence for wine, And
 every Fryar of the fower Orders in Bristoll a loafe And every Prisoner there in
 Newgate likewise, And the remanet is doaled at the Monastery gate to the poore
 people.

His Seales of Armes

The Seales which this Lord Robert used in red, in greene, and yeallowe waxe
 weare very broad, having on the one side the impressiō of a knight armed and
 mounted ready for present onfet in the warrs circumscribed thus Sigillum Roberti
 de Berkelei And the back or reverse thereof (more then two inches brode) which
 may be called his privy seale, hath the impressiō of the George on Horsebacke,
 and the same inscripction about the ring thereof: Behould the figures of both.



His lands whercof he dyed Seized

By this Lords death without issue, his Barony wth theis Manors and lands
 followinge, disceded vpon Thomas his brother and heire, whom he entirely feemed
 in his life to love.

The Mannor of Portbury
 The Mannor of Bedminster
 The Mannor of Radeclivestreet
 The three hundreds of Portbury
 Bedminster and Hareclive

In the County of Somersfett:

The

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The Manor of Berkeley meaninge
the burrowe Towne
The Manor of Hame
The Manor of Appleridge
The Manor of Alkington
The Manor of Hineton
The Manor of Hurst
The Manor of Slimbridge
The Manor of Came
The Manor of Cowley
The Manor of Symondfall
The Mannor of Wotton
The Mannor of Arlingham
The Manor of Ewley

In the County of Gloc :

Rot : pip : 4. et 5.
Johis.

Bristowe hee held in farme of King John at 140^{li}. and 145^{li} per Anñ
as the great rolls of the Pipe of thofe yeares shewe.

The Manor of in y^e County of Oxon

The Manor of in y^e County of Wilts

Rot : pip. 6. R: 1.
in arce london.

Divers Lands in the County of Northumberland

As for the Manor of Foxcote he gave it to Maurice his third brother
and to his heires vpon his mariage if hee should beget any vpon his
wife, if not to revert to him and his heires To hold by the service of
halfe a knights fee, which did revert in the tyme of the next lord
Thomas for want of iffue of the body of the fayd Maurice.

Rot : pip. 9. R: 1.
Glouc :

And for the moyetie of Gofington, hee conveyed it to William his
brother, as before is mentioned.

diuerſæ Cartæ in
Caſtro de Berkeley.

Divers lands in Teveleford, Tablesford and Charteloge hee added to
his eftate by purchafes from Ivo de Teleford, Phillip the fonne of
Elias Ward, and others. |

120

His Manor of Portbury hee much augmented by a purchafe of divers landes
and Tenements from Witm de Salfo Marifco, whose grandfather Adam had the
fame from that Richard de Morevill, of whom Robert Fitz-Harding purchafed the
one moyetye of Portbury as before : for which hee gave to the fayd Witm the like
quantity of land in Woodford, which alfo from the heire of this Witm was re-
purchafed in the tyme of Edward the third by Thomas then Lord Berkeley : And
this was foone after hee had given Gofington to his brother Witm for Portbury.

Thofe

Those tymes wherein this Lord Robert fate in peace, were poore, and mony foe scarce amongst his Tenants, That the incombes which hee contracted for, were comonly payd in two, three or fower oxen, or kine, which hatched the Error hee comitted in filling his Manors with free holds and farme rents of inheritance; deeming it great husbandrye to keepe the rent constant at the valewe it was then at; whose example his brother and heire the lord Thomas foe farr imitated, that the smart of that error is sensible in this family to this day, as often hereafter I shall write. See after fol :

The application and vse of his life

1. **Uppon** the Errors of this lords life (in the Alpha the fairest, before the Omega, the foulest of all his Ancestors) his posterity may be instructed not to lift vp theire hands against theire Soueraigne, for rebellions against Princes destroy whole families, the pestilence but particular persons: Good Princes are blessings to theire subiecte: If bad, they are punishments sent of God, And wee must suffer them, and amend our selves; And that noe subiect ought to resist the power of his Kinge, because hee may be taxed with iniustice or cruelty: for it pleaseth God sometime to punish his people by a Tyrannous hand; And the commandem^t of obedience, is without distinction. | The vse.

Romanes. 13
vers: 5.

2. **Againe**, his posterity is taught by him, That noe pretence howe faire soever, can give authority or strength to warrant vnlawfull actions: for God, who is all sufficient, and who hath decreed all good thinges, hath likewise devised all good meanes to compasse them: **And** that every good worke doth consist of lawfull matter and forme, for noe evill thinge can bee well done, neither may any good thinge bee done evilly. 121

3. **Againe** it seems a defrauding of this lords right, not to remember, That having noe issue of his body; In steed of children, he made his pious workes his god-sons which haue propagated his noble name to more lasting ages, then heires of the flesh vsually have done: **And** if Mary Magdalen that powred out but one box of sweet oyntment on Christ, had by Christs owne assignem^t, an honorable memoriall on to all after ages; Theis sweet and pyous workes of this repentant lord, of much more value and durableness may iustly challeng the like memoriall, espetially in his owne family, And become also a president for their imita^cō.

4. **Againe**, when this lords Posterity shall in readinge the life of this theire Ancestor, see a Curfe and excommunication to bee solemnly annexed to such guifts of lands

lands and tythes as hee made to churches and other pyous uses, against the infringers: It seemes worthy their meditation, whether such lands and Tythes in the hands of many remarkable houses in this last one hundred yeares, haue not bene like Tholouse gold, that never prospered with any: or as vnfortunat as Seians horfe, breaking still the necke of his possessor: And wheather part of impropriation hath not either fretted away and consumed the greater parte of their other goods and lands better gotten, even spoilinge the spoiler in his owne life tyme, or consuming him ere three generations have passed after him: And accordingly to make an happy vse by other mens harmes: And by the effect to iudge of the doctrine frequently proclaymed out of each pulpit, That lands given to pyous vses are not to bee prophaned: And that the church portion in Tythes, is Gods right, the Preists inheritance, by better conveyance then municipall lawes can afford to any. |

122

5. **Againe**, by this lords bad Example in falling from one evill into a worfe, from rayfinge Armes against the King, to call in the French and fwearing fealtye to a Forreiner; he shewes to his posterity the aptnes of man, to maintaine one violence by a greater, And that man by Nature will make good his will, howe wicked foever the end bee; And accordingly, by his evill succeffe, forewarneth his posterity from the like.

6. **Againe**, from the superstitious manner of buriall of this Lord in a peece of a monkes garment, therby (as a spell or charme hanged about the necke of the dead) to bee preserved, or (as some others were) with a peece of the begininge of S^t Johns Gospell tyed to their mouthes: His posterity ought to bee stirred vp to thankfullnes towards God, the giver of a cleerer knowledge, And accordinge to that light to measure out their Actions, least the good workes and Almes of this their Ancestor wrought in tyme of Ignorance, stand vp in iudgment against their greater knowledge, bringing forth worfe fruite.

7. **Againe**, if in excuse or iustification of this lords lifting vp his sword against his prince, any shall reply, That the kings evell government was not by free and heroicke spiritts to bee endured; That it is most honest, iust, and noble, to dye for a Comon good; That noe right man did ever foregoe his freedome, but with his life, And that to dye free vpon defence of liberty, is sweeter, then to remayne in life a slave: Let him also consider, That noe Action or vndertakinges, can ever attayne true renowne, whereto loyaltie and reason are Strangers: That wifdome forbids to ease our Country of partiall greevances by casting her into the danger of an absolute captivity

captivity, as this had bene, had the French by English Armes, prevailed : That it was a desperate straine, to resolute either for death or domynation, as here it was : And to speeke cleerly, neither was this lord nor any of his Adherents, led on to the remove of publicke evils, without spetiall feelings and private ends of their owne, though other causes were pretended for increasinge of their side. | That the names of liberty and reformation are the vsuall maskes of faction : And that liberty it selfe, after a short while, is noe where lesse, then vnder a newe lords rule, as doubtles here it had bene vnder the French had King John bene depressed, And therefore this lords fact remaynes without excuse or iustification. 123

124 blank

Finis Robert the Second

The Life of Thomas the First

125

The life of Thomas Lord Berkeley the first of that name, Brother and heire of the lord Robert, stiled in writings, Thomas de Berket; and Thomas de Berkele frater Roberti de Berkelai; and Thomas filius Mauricij de Berkelai; and, Thomas de Berkelai filius Mauricij de Berkelei; And Dñs Thomas de Berket: And may bee called, Thomas the observer or temporifer.

diversæ cartæ in
Castro de Berkeley
Aug: chart: fol:
57. 58. 59. 60.
Rot: pip: temp:
H: 3 in Scðio.

Contemporary with King Henry the third from Anno. 1220. to 1243.

This lords life (entringe vpon his elder brothers death) is delivered vnder theis fowertene titles. (viz^t)

- 1.—**His** entry vpon his Barony. fol: 126:
- 2.—**His** restitution to his Castle of Berkeley. fol: 127:
- 3.—**His** suits in Lawe. fol: 128. 132.
- 4.—**His** liberality to the Abby of St Augustines. fol: 129.
- 5.—**The** Abbots ingratitude to this lord. fol: 130.
- 6.—**This** lords Almes and devotions. fol: 131.
- 7.—**His** Husbandries. fol: 134.
- 8.—**His** forren employments with other various passages. fol: 136.
- 9.—**His** wife. fol: 139.
- 10.—**His** issue. fol: 141.
- 11.—**His** Seales of Armes. fol: 145.
- 12.—**His** death and place of buriall. fol: 145.
- 13.—**His** lands whereof hee died seised. fol: 146.
- 14.—**The** application and use of his life. fol: 146.

His

126

His entrie upon his Barony

Claus : 4. H : 3.
m : 8. et. 9.

The Lord Robert being dead in May in the fourth yeare of Kinge Henry the third, Anno. 1220, as hath bene said, the Kinge on the twentieth of the next month doth by the aduice of his Counsell, by severall patents, commit to Willm de Putot and Ralph of Norwich the Custody of all his Manors and Landes in y^e Countys of Glouc : and Somersfett and all the Stockes and Stores of Cattle and whatsoever els might in them bee found, To holde duringe his pleasure, And also of the two Castles of Berkeley in the County of Glouc ; and of Caldicote in the County of Monmouth (whereof the sayd Lord Robert had the keepinge vnder Bohun Earle of Hereford) requiringe his vnkle the Earle of Salisbury to see the same performed, and the said Castles delivered, with whatsoever should bee in them that were the said Robert de Berkelaies, Comanding also by an other writt, all the knights and tenants, et alijs de honore vtriusq; castri tenentibus, and all others holdinge of the honor of either Castle, That to them two, as to his Baylies, they should be attendant and give obedience.

Honor de
Berkeley.

Claus. 4. H : 3.
m : 7.

The viijth of July followinge, the lady Lucy widowe of the said Lord Robert obtayneth from the Kings Counsell to have the Manors of Wotton and Slimbridge in the Connty of Gloucester, and the Mannor of Bedminster in the County of Somersfett, out of y^e hands of the Kinges Committees for her prefant sustenance till the heire of the sayd lord Robert might have seisin of his lands from the Kinge, and assigne reasonable dower vnto her of the lands that were her husbands, which it seemeth not longe after shee had : for at the Assizes holden before the Kings Justices Itinerant at Gloucester within lesse then a yeare, The Jury did present, That shee the sayd Lucye was the Kings widow, de donatione dñi regis, and to be maryed, And that the lands whereof shee was endowed were in valewe one hundred fol. [117] pounds per Annū, of whom I have further wrote before.

Affise et iurā
5. H : 3. in Scēcio
recept.

127

Claus. 4. H : 3.
m : 5. et al :
Rot : paten. et fin.
eod : Anno.

The xiiijth, fifteenth, xvijth and xvijth dayes of August in this fourth | of Kinge Henry the third, the Kinge lodged in Berkeley Castle, then in his owne hands, in his way from Oxford towards Bristoll, as the course of the great seale in patents and other writs, plainly traceth his progres.

The

The nyynth of Auguſt, this Lord Thomas doth his homage to the Kinge for the lands diſcended to him from his brother in the fower Counties of Glouceſter, Wiltes, Oxon, and Somerſett, And giveth ſecurity by his Cozen the lord Maurice de Gaunt and fower others, to paye to the Kinge his releefe of one hundred pound dewe for his barony vpon his brothers death into the Exchequer, at ſuch dayes as was agreed vpon with the Kinges Counſell. And out of other monies which hee owed for his brother and himſelfe, the xxijth of y^e fame monthe the kinge by his writ directed to this lord Thomas, comaunds him to pay twenty mks to Ralph de Williton his keeper of Berkeley Caſtle for his wages due for cuſtody thereof at Michaelmas and Eſter, which ſhould bee allowed to him vpon his accompt in the Excheq, And in like forte to him and others were like ſomes aſſigned by the kinge for this lord to paye for wages and reparations of this Caſtle and others in the fower next yeares in the Kings raigne, whereof one hundred pounds was in the fixth of Henry the third, payd by him to William Bruen (one other of his ſuerties) for the repaying of Dunſtar Caſtle, And the reſidue of his debts oweing to the Kinge by his brother and himſelfe, were ſtalled to bee payd by this lord at fowerſcore pounds a yeare, whereof one hundred markes into the Exchequer, and twenty markes yearly for the wages of the keeper of Berkeley Caſtle. And in the **dorſe** of the cloſe Roll of y^e Eighth of Henry the third in both parts of that yeare is entred a **Memorād.**, That the Kinge hathe nowe reſtored to Thomas de Berkele his Caſtle of Berkele, and hath taken of him two hoſtages or pledges his ſiſters ſonnes, for the faythfull keepinge of that Caſtle, Soe that by it noe damage ſhould ariſe to the Kinge, And to be redelyvered to the King as often as need ſhould require; **One** of which two hoſtages was his Nephewe Olbert Gifford, who thereupon became the Kinges ſervant, and much favoured by him. |

Claus. 4. H. 3.
m : 5.

Claus. 4. H : 3.
m : 4.
Rot : pip. 4. H : 3.
Gloc : nova oblata.

Claus : 5 : H : 3.
ps. 1 m.
Claus : 6 : H : 3.
ps 1. m : 8. et : 7.
H : 3 pars 2. m : 7.
et. 23.
Claus. 6 : H : 3.
Claus. 7. H. 3. m.
13. pars. 2. et ps.
1. m. 26.
Claus. 8. H : 3.
pars. 1. m : 29.
Berkeley Caſtle
reſtored.

fin : roll. 8. H : 3.
pars. 1. et 2.

His ſuits in lawe

Noe ſooner had this Lord thus fued his livery, but his old acquaintance and fellowe Rebelle, Wiſſm Marshall the younger (now E : of Pembroke by death of Wiſſm his father, dead the yeare before) ſets upon him in the fifth yeare of this Kinge Henry the third, with an eager ſute, which then cam to a tryall at Glouceſter before the Kings Juſtices Itinerant, wherein hee (beinge but a ſuertie for this Lord Thomas for payement of two hundred and ten markes to Wiſſm Longeſpee Earle of Salisbury the Kings Vnckle) required to be faved harmleſſe and repaid, havinge for him ſatiſfied the fayd Earle of Salisbury. **This** Lord Thomas denyes that it was his debt, or hee his brothers ſuertie, and fetteth out, how that betweene him and the fayd Earle of Pembroke, it was agreed, That hee this lord Thomas ſhould marry

128

Plita aſſis. Mich : 5.
H : 3. coram Abbe
de Eveſham.
Jurat. et Aſſis.
5. H : 3. Glouc :
in recept : Scij.

Rot. pip : 5. et 6.
H : 3.

Jone

Jone his Neece daughter of Ralph de Somery, And should cause the Kinge to take his homage and to restore to him his brothers barony and lands, and discharge him of that money against the sayd E : of Salisbury, And also should have delivered to him his Castle of Berkeley, And bee also freed from the Kings Justiciar and Willelm de Brewer, (two lords that ever stuck fast to kinge John, and as favorites were for money to worke the reconciliation of the lord Robert and this Thomas) **The** agreement the Earle of Pembroke acknowledgeth, But replyeth, that afterwards this Lord agreed to acquit him of that det ; which this lord Thomas denyeth, affirminge still, **That** the E : of Pembroke was to discharge him from that bond given to Salisbury : **But** vpon Pembrookes reply, this lord Thomas fled to his last shift, affirminge that it was the debt of the lord Robert his brother, And thereby hee not chargeable with it : The record foe resteth.¹

Plita in banco. 7.
H : 3. rot. 2. et 3.

129

This suit thus pawfinge, This Lord is agayne fet vpon by Willelm Longspee afore-sayd Earle of Salisbury, who demaunds against this lord two hundred and fiftene markes, as havinge Affets by discent from Robert his brother whose heire hee was ; And declares vpon the Deed of the sayd Lord Robert, who vpon his great necessity had borrowed foe much of him : **This** Lord Thomas answeres in person That hee is impleaded for the same det already by Willelm | Earle Marischall, who was suerty for the lord Robert his brother for that det, which playnt being vndetermined, hee demaunds iudgm^t of the Court, whether hee shall answer them both ; and foe bee doubly impleaded for one and the same dett : Salisbury replyes, That hee demaunds nothinge of the Earle Marischall, but onely of this Lord Thomas as being his principall dettor, And thereuppon prayes iudgment : **This** Lord Thomas reioynes, That the Earle of Salisbury tooke the Earle Marischall for his dettor, who had satisfied him the same : Salisbury surreioynes and saith, That hee never tooke the Earle Marischall for his dettor, neither had hee satisfied him the same, where-upon the issue was ioyned : **The** record foe also resteth.

Hereby

¹ Ralph Mufard, Sheriff of Gloucester, writes to Hubert de Burgh Justiciar of England stating that he had upon the arrival of the Earl of Salisbury at Berkeley demanded of him the surrender of the Castle and other property of the deceased Robert de Berkeley, but that the Earl had refused to surrender them unless by the expresse order of the King and Council, alleging as his reason for keeping possession that his niece was with child ; the Sheriff therefore requests the Justiciar to signify his intention to him. Dated c. 1220. 4 Henry iij. [Ed.]

William Marechal, Earl of Pembroke writes to Hubert de Burgh, stating that Thomas de Berkeley, brother and heir of Robert de Berkeley married his niece, and beseeches the Justiciar that he would give him redress against the Earl of Salisbury, who has seized his Castle and inheritance at Berkeley contrary to right and law of the land. (Deputy Keeper's Report, Vol. v. app^e II Royal Letters, &c. p. 155.) [Ed.]

Hereby it appeares in part, with what tooles the Lord Robert hewed out his peace, with both Kings, John and Henry the third :, for Salisbury was the Bastard brother of King John by faire Rofamund, and foe vnkle to Henry the third, one of the cheife governors of his youth and crowne, who had all the mariage portion of this Lord Thomas; **A**nd the Earle Marischall Earle of Penbrooke had the advancement of his Neece in mariage with this Lord, whom age and aduersity had made wife, **A**nd that the Justicier and Willelm de Brewer were not forgotten, is discernable through many glimpses.

Duringe theis fuits, in the fifth of Henry the third, the kinge by his writ requireth the Shereife of the County of Gloucester to leavy for this Lord, Escuage of such of his free holders holdinge of him, in such fort as this lord had payd to the Kinge, rated at ten shillings for each Knights fee, when the King went with his Army to the Seidge of Byham Castle, whom this lord, accordinge to the tenure of his barony, attended.

Claus. 5. H: 3. ps. 2
m : 17 in dorso.

And nowe fetled in his estate, this lord accordinge to the president of his Ancestors, for the helth of his owne Soule, and for the Soules of Robert the sonne of Hardinge his grandfather, and of Maurice de Berkeley his father, and of Robert de Berkeley his brother, and of Jone his owne wife, confirmeth to the Abbot and Covent of S^t Augustines Monastery, All the grants of the Manors, lands, and tenements, which were formerly | given to that house, by his sayd Grandfather, and by his father and brother, (recitinge what each of them had given.) **A**nd out of his owne Charity giveth further vnto them, divers other messuages, lands, and rents in Cowley, Berkeley, and Hinton, and comon of pasture for fower and twenty Oxen betweene Longbridge and Egeton neere Berkeley. **A**nd also dischargeth all other their lands whatsoever lying within any of his manors or hundreds of Berkeley and Portbury (of whomsoever obtayned) from all manner of Services and earthly demaunds, **O**nely in their prayers they should remember the Soules health of all his parents, of himselfe, the lady Jone his wife, and all their children, faith the Deed. **T**he Abbot and Covent in like manner accordinge to the president of their predeceffors, within fewe yeares after, implead this lord Thomas before the popes delegates for the Tythes of pawnage of his woods, of his fishings, and of his mills, **A**nd before the kinges Justices implead him for the Manor of Arlingham, for the Manor of Bray, the land of Lorwinge and for divers high wayes, **A**nd for that by his enclosures he had begirt their lands &c., which beinge ready for tryall before the Kings Justices Itinerant then sittinge at Gloucester, And both this Lord and
the

Carta in Castro
de Berkeley.
Aug: chart: fo: 57.
58. 59. in castro
de Berkeley.

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Carta in Castro
de Berkeley.
Aug: chart: itm
fol: 57.

the Abbot in person prosecuting their suits, by the mediation of friends on both parties, they drew themselves into St Peter's Church, And there in May in the twentieth year of King Henry the third, Anno. 1236. to the honor of holy St Augustine, (as the agreement speaketh) after much altercation, thus agreed,

Carta in Castro
de Berkeley.

That this Lord should for ever pay all the said Tythes and the rents demanded without contradiction, And should release to the Abbot a rent lamprey which he used to pay for Oldminster land in Hinton; and all exaction and secular vexation which he required of them to his hundred of Berkeley &c. **And** on the other part, That the Abbot should release to this lord and his heirs, all the right & clayme in the Manors of Arlingham, and of Bray, and in Loringe &c. **And** further, that this lord should specially withdrawe his writ of prohibition that he pursued against the
131 **said** Abbot: | For performance whereof each party tooke a solemn oath, **And** further that each should forfeit to other tenne marks for every article of this agreement that either of them should breake, which by the Ecclesiasticall censure of the Bishop of Worcester for the tyme being should be levied: **All** which by mutuall Deeds on either part was shortly after ratified.

duæ cartæ in
Castro de Berkeley.

His Almes and devotions

Vetus manus: in
Castro de Berkeley.

To the Abbot of Kingeswood (in the tyme of the Controversie with Saint Augustines Abbot) this Lord not onely confirmed all the donations of his brother the Lord Robert, but gave also divers messuages and Lands in Hame, and at Edge neere Simondfall, Appoyntinge the said Abbot to distribute part of the rents thereof to poore people on the day of his Aniversary, And with the rest to augment the diet of the Monkes on the same day; **This** may seeme to have bene a Charity of despite, to anger the Abbot of St Augustines then his adversary by seeing the liberality of this Lord fall into a gulf, from whence was noe reboundinge: **One** begger is ever woe, to see an other by his doore to goe.

Newl: Pedegr. in
Castro de Berkeley.

And also this lord, as Abbot Newland hath, was a singular benefactor to the hospitall of St Katherine by Bristol.

chartul. in Castro
de Berkeley.

At which tyme also, this lord gave certaine lands in Slimbridge to Elias Butler, to pay for ever out of the same to the Chantry priest there, for the better service of our lady and of St Katherine, fower gallons of Oyle and six pound of wax to burne before them, for the good of his owne Soule, his Fathers, Mothers, and of Jone his wife.

To his Burgeffes of his burrowe of Berkeley, hee granted fuch comon of pasture without the Towne of Berkeley as they were wont to have.

And (amongst other things) That none of them should bee chosen Reeve against theire owne will, who should have his wages accustomed of right. **And** that within the fayd Burrowe noe Attachments should thenceforth be made but by the Reeve or bayly of the burrowe. |

Carta cū Maiore
de Berkeley.

To the pryor and Covent of Bradenstocke, this Lord Thomas gave all his lands in Vleigh in the tenures of Gilbert Spirwit and Godwin Cuneley with their bodies and sequele, for the foules health of himselfe, his wife, brother, Ancestors, and posterity : **Which** are nowe the lands of Tho: Dorney and others, worth three-score pounds per Anñ.

I32
Rot: cart: 16. H: 3.
m: 6.

His further lawe suites

The next yeare after he had fued his livery in the fifth yeare of Kinge Henry the third, Peter de la Hay arraigned an Affize of Novell disseisin against him at Glouc. before the Justices Itinerant for lands in Berkeley, but for not prosecutinge, both himselfe and his pledges were amerced.

Jurat. et affis :
5. H: 3. in. rec :
Scij.

At the same tyme, Robert the sonne of Guido brought the like Affise against this Lord and Robert fitz Richard, for lands in Arlingham, but, before tryall, retracted his fuit, for which both hee and his pledges were amerced.

Eadem.

At which Affises also it was presented, That one Reginold a preift had killed one Marke the sonne of Agnes, for which he was apprehended, and imprifoned in Berkeley Castle, from whence hee was taken by the comaund of Guido the popes legate, and removed to the prifon of the Bishop of Salisbury, where the preift dyed : **This** lord Thomas being blamed for keepinge the preift foe longe in prifon in his Castle, excuseth it to bee in the life tyme of the lord Robert his brother, And that willingly henceforth hee will deliver his prifoners to the Sherife of the County.

Eadem.

And it was then further presented, That a servant to Henry de Berkeley of Durfeley had slayne a woeman, for which fact hee was apprehended and Comitted prifoner to Berkeley Castle, from whence hee escapes and flyes to Durfley Church : Hee confesseth that, & other facts, as lewd; Abiures the kingdome : ffor this escape out of his prifon, this lord Thomas is amerced : **All** which with divers the like presentments

Eadem.

- 133 presentments for imprisonments and escapes | for which this lord is fined and amerced, are remayninge in thee Treasory of the Exchequer of that yeare in itinere Abbatis de Evesham vnder the title of Berkeley hundred.

Claus. 13. H: 3.
pars. 1. m: 6 in
dorfo.

In the thirteenth yeare of King Henry the third, this lord impleaded Peter Burges for a yard land in Frampton.

Claus. 14. H: 3.
m: 16.

Before John de Monmouth and his fellowe Justices in Eire, to inquire of offences comitted in the kings Forrests, in the fowerteenth of the faide kinge this lord was presented to have killed a stagge in the Forest of Deane, and amerced, for which Offence hee obtayned the kings pardon.

Ptita Michael: in
banco: 17. H: 3:
rot. 1.

Carta cum Riço
Bridges deCombe.

See fol: [20]

In the seaventeenth of King Henry the third, the Abbot of Kingeswood demaunds against this Lord, the custody of the body and lands of the heire of Wiltm sonne and heire of Elias de Combe by Wotton, held (fayth the Abbot) of him by knight service; whereto this lord answeres, That Robert the sonne of Harding enfeofed Elias his brother and his heires of one hide of land in Combe, To hold by knight service, which Elias had issue Wiltm, and Wiltm had issue Wiltm, All whom and theire heires held of the sayd Robert and his heires, And soe concludes that the wardshippe appertaynes to him; wherevpon a venire facias is awarded to try the tenure.

Claus: 18. H: 3
m: 22.

In the Eighteenth yeare of Henry the third, it was found by Jury that that part of land in Slimbridge called the Warth (which the twoe Townships of Slimbridge and Awre did clayme one agaynst the other) did belonge to Slimbridge and not to Awre, Because, before the water of Seaverne did weare away that ground, castinge of it to Aure feilds, it was part of Slimbridge arrable and pasture feilds, And now being agayne worne away from Awre, and cast to Slimbridge feilds agayne, it ought to be pasture belonginge to Slimbridge, (fayth this record) And therefore the Kinge awarded his writ to the Sherife to give this Lord Thomas seisin accordingly; whereof read more in the life of Thomas the second, and of Thomas the fourth, and of James the first; And this is that fertile peece of ground called Slimbridge Warth at this day. Anno. 1624. |

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Ptita: 23. H: 3.
rot: 20. in dorfo
in banco.

In the three and twentieth of King Henry the third, this lord complayned against Isabell Gifford for keeping from him the profits of the landes, and the heire of Osbert Gifford, which to him belonged, because they were holden of him by knight service lyinge in Hame.

His

His Husbandries

Such were the tymes for the most part whilest this Lord Thomas late Lord, That many of his Tenants in divers of his manors, holdinge of him for lives, by Copy, surrendred up and leaft theire lands into his hands because they were not able to pay the rent and doe the services, which also often happened in the tyme of his elder brother the Lord Robert: **And** this the more confirmed him in his said brothers error whereby this lord also enfeofed foe many of his lands to them and theire heires, in such his manors, as he could find Chapmen for; reservinge the best rents hee could; thereby to hold up his revenue constant, which was at the rate of twoe pence an acre for the best arrable, and fower pence an Acre for the best meadowe, whereof I haue seene more then fifty deeds, which continue freeholds to this daye. **The** one at this daye (in Hame where most many of theis Feofments were made) worth fiftene shillings the acre, And the other xxv^s the acre; **The** influence of which ill husbandry (founded vpon false principles) as I have in the last, foe I shall in the next five lords, haue iuster cause to speake of, and complayne.

Also hee much pared the skirts of his chace of Michaell wood by granting in fee many Acres thereof to divers men, at three pence, fower pence, and six pence the Acre rent; whereof I have seene many in the hands of the freeholders holding at this day vnder those grants.

This lord had in him a stronger feelinge of husbandry (I say not of devotion) then his elder brother, for as on the one hand, hee made his rents to stand certaine by his Feoffments, Soe on the other hand, hee reduced greate quantities of ground into enclosures and sefervalty, by procureinge many releases of Comon from free holders, wherein hee bestowed much labor, **And** the like in Exchanges of grounds with them, some in greater, some in lesser quantities, some less than a quarter of an Acre; |

In many of which releases and exchanges are theis and the like clausfes often found, hanc conventionem fideliter et sine dolo tenendam, ex vtraque parte affida- 135
verunt, for the true observance of which agreement, either party hath given his Oath to other. **And** amongst other parts of his demesnes about Berkeley thus reduced into sefervalty and freed from Comon, were Hocley and Shobenasse now called Oakley and Shepnasse, thus made two parkes by him: **For** at this tyme, lay all lands in Comon feilds, here one acre or ridge, and there an other, one mans intermixt with an other, as yet is in many other Countries, **Howbeit** throughout this

this whole Barony of Berkeley and in all that vale vnder Cotfall hills from Bristoll to Glouc: and foe (in effect) to Evesham, the course is shorter in our dayes; for all along that tract of ground, wee inclose, convert, and keepe in severall to our selves, our grounds which before laye open with the Comon feilds, vnder the prescription of, *mos patriæ*, the custome of the Countrey; Abridginge withall our selves of ratable Comon for sheep and other Cattle, according to the acres of our enclosures: **And** foe also standeth our prescription in exclusion of Tythes for beech wood, loppes, throwds,¹ willowes, ofiers, and some others, that by the Custome, (not of this, or th'other parish) but of the wholl Countrey, wee pay none: **And** in that fort wee prescribe, in non decimando, in payinge noe Tythes.

fin: 12. H: 3:
pars 1. m. 5. bis.
cartæ 13. H: 3.
ps. 1. m: 8: et. 12.
H: 3. membr: 5.
claus: 12. H: 3.
ps. 1.
Rot: pip: 12. et.
13. H: 3.

The tyme it selfe wherein this lord lived, presented him with some presidents of encouragement and invitation in the parts next adioyninge, for at the generall petition of the Inhabitants of all thofe parts, and espetially of the men of the forrest of Horwood, and for one hundred and fifty pounds in money, Kinge Henry the third in the xijth and xijth yeares of his raigne, did disafforrest all the Townes, landes, and woods, betweene Huntingford (where Berkeley hundred and this lords lands parted) and the wood of furzes, (nowe called Kinges wood) within sower miles of Bristoll, And foe from Seavern side to the browe of the hills by Sodbury (exceptinge onely Alveston parke.) **And** for more assurance, the Bishop of Bath and Wells for his Manor of Pucklechurch, and some other lords, tooke particular patents of disafforestation of their proper manors; **Soe** that the age it selfe in thofe partes seemed to invite and dispose it selfe to husbandry, exchanges, and inclosures, more then any former age had done **Against** which course I onely find the Abbot of S^t Augustines to have repined and opposed, as his forementioned suits with this lord have declared. |

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His forren imployments with other various passages

Pat: 17. H: 3.
m: 2.

The Kinge the nyne and twentieth of August in the Seaventeenth of his raigne being at Hereford in a Journey against the Welsh, sends Henry de Ordeny to this Lord Thomas to see that private busines dispatched whereof the kinge had formerly conferred with him mouth to mouth, nowe wishinge him to promote the same busines all

¹ Twigs cut off from trees or hedges:

"When shales beene sheene & *shradds* full fayre
& leaves both Large and Longe
itt is merry walking in the fayre fforrest
to hear the small birds song"

(Guye of Gisbirne in Bishop Percy's Folio Manuscript. II. 227.) [Ed.]

all hee could, in such forte as hereafter hee might thanke him; what the king's secret was, I desire to live in more safety then to knowe.

And the fourth of the same month the Kinge sent to this Lord, desiring as that hee loved him and his honor hee would suffer his Sherife of Gloucestershire to make him some (cleias) hurdles de virgis boscoꝝ suoꝝ, of the rods in his woods, for his passage into Ireland.

Claus. 17. H. 3.
pars. 1. in dorfo.

And the tenth of November in the next yeare, the kinge by his writ from Hereford, enioynes this lord vpon his allegiance, That hee should deliver to Eymery de Sacy and his fellows knights sent for preservation of the peace in those parts, his Castle of Berkeley To hold as long as should please the Kinge, **And** the xxiiijth of the same month sends to the Bishoppes, That as they loved their baronies they should not at that their assembly at Glouc, consult of anye thinge that concerned him or his Crowne.

Pat. 18. H. 3.
m. 18.

And the five and twentieth of January in the five and twentieth yeare, this Lord with others, was desired from the Kinge to viewe all the defects in his Castells in the County of Glouc., and at what charges they might bee amended.

Claus. 25 H. 3
pars. 1. in dorfo.

The pipe roll in the xxvjth yeare of this Kinge, shewes, howe this lord Thomas became dettor to the Kinge in threescore markes not to pass with him into Gascoigne, besides that escuage money which hee | freely gave the Kinge for that voyage, **And** the fifteenth of June in the same yeare, the Kinge when at Zantaigne in Gascoigne, and the truce betweene him and the French Kinge broken, writes to this Lord Thomas, That hee should send in his steed his sonne unto him with three others for his warrs, And then he would release to him the Escuage fine of threescore markes, which himselfe was to pay by proces out of the Exchequer for not goeing over with him, **And** in the meane tyme writes also to the Sherife of Gloucestershire to forbear the leavyinge of it till three weekes after Michaelmas, **And** the fifth of November followinge, is the Sherife of newe comaunded to forbear the leavyinge of the same untill the Kings returne from beyond seas, because the sayd lord had accordingly sent his sonne Maurice with three knights his attendants for his then warres against the French.

Rot. pip: 26. H. 3.

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26. H: 3. claus.
pars. 3 in dorfo.

pars. 2. ciufd
anni.

Claus. 27. H. 3.
pars: 2. m: 10.

And the thirtieth of January followinge, writes from Burdeaux in France to the Barons of his Exchequer here, that because hee had accordingly sent his sonne

Claus. 27. H. 3.
pars: 1. m: 11.

Maurice, cum tertio militum, with three other knights, vnto him, they should remitt that threecore markes fyne, which for his stay at home not goeing with the kinge, hee had compounded for to have payd, And that if any part thereof were eyther payd, or any distres taken, it should be restored agayne.

Rot: pip: 28. H: 3.

Wherewith agrees the pipe roll of the yeare followinge, wherein, vpon the accompt of the Sherife of the County of Gloucester, the foresaid threecore markes is remitted by the Kings will, becaufe faith that record, this lord sent his sonne Maurice into Gascoigne, fe, tertio milite, with three knights attending him.

Claus. 27. H: 3.
pars. 1. m: 10.

And, as it seemes, such was the said Maurice acceptable service to the Kinge (as in his life more largely followeth) That the King the eighteenth of March followinge, writes agayne to this Justiciers appoynted over the affaires of the Jewes then in England, That they should remit to this Lord Thomas all the interest money that hee owed to David the Jewe of Exeter for one hundred marks which hee had borrowed of him, **And** that, when hee had payd the said principall money, they should cause the sayd Jewe to | deliver up to him his bond or writeinge concerninge the same, **Which** very writeinge in parchment in the Jewish Character and language, remaynes in Berkeley Castle at this day, Anno: 1620. **A** reserved instruction I hope to this lords present posterity the lord George, to beware of interest. vnles hee have the like means to escape from it, as this lord (nowe entred into his lxxiiijth yeare and the last of his life) had, by the good service of his sonne, and his owne wife obfervance of the Kinge, and the tyme; wherein hee was a perfect Scholler.

See after fo: [150]

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Patent: 16. 17. et.
25 H: 3: et al: in
dorfo.

This lord was often employed by the Kings Comissions of Oier and terminer, aswell for delivery of the Gaole at Gloucester vpon tryall of the prisioners before him, As to heare and determine divers writs of Assize of Novell disseisin, and other actions betweene partye and partye, which seemes to imply (as many other observations doe) his knowledge in the lawes of the Realme.

This lord was present at the parliament in the Nynth of Henry the third at the making of Magna Charta, and Carta de Foresta, Till when the lawes were vnestablished, And upon the matter, at the kings pleasure, And thereby as some have written, were as quarter-tirants: when also cam the Comons to have voyces in Parliaments, who before fate not, but were holden by the king and his Peers; **And** in the twentieth of Henry the third, at the making of the Statute of Merton, for wardships and mariages consistinge of eleaven chapters; In the nynth whereof, in
the

Statut: 20: H: 3.

Cooke reports,
pars. 4. in the
preface.

the cafe of Baftardy, When the Bifhops and Clergy preffed, That fuch children as were borne before matrimony (held baftards by the Comon lawe of the land, which abhorreth Clandeftine contracts), might bee held legetimate to the fucceffion of Inheritance, afwell as they that were after borne within matrimony as the lawes of the Church accepteth them; The cry of this lord, with the wholl Baronage then prefent, with one voyce, was nolumus mutare leges Angliæ, wee will not change the lawes of the Realme of England, which hitherto haue bene approved. |

His Wife

This lord about the first yeare of Kinge Henry the third, tooke to wife Jone daughter of S^r Raph de Somery lord of Campden in Gloucestershire (called S^r Raph Gomer in many old Pedegrees, but falſly,) Neece to Wiltm Marshall Earle of Pembroke, whoſe mariage portion was 210. markes, and the kings favor, as hath bene fayd: by whom hee had iſſue that came to remarkeablenes in the world, ſix ſonnes and two daughters, as after followeth.

This Jone longe ſurviued her husband, and dy[e]d not till the raigne of Kinge Edward the firſt; for an office in the ſecond yeare of that Kings raigne after the death of Thomas ſonne of Otto lord of the Manor of Woodmancote within the pariſh of Dursley, ſheweth her to bee then livinge.

Forthwith after the death of her husband, againſt the lorde Maurice her eldeſt ſonne, ſhe bringeth the writ of Dower, wherevpon an agreement followeth, And ſhee by her ſonne is enfeoffed for her life of the Manor of Wotton, and of the third part of thoſe landes which Thomas Brother of the fayd Maurice (then newly deceaſed without iſſue) held at Egge in Wotton by Symondſfall and of the Manors of Came, Cowley, Hurſt, Alkington, and Hinton, To hold to her in dower in ſatiſfaction of whatſoever ſhee might clayme in any the Manors or lands that were her husbands in the Countyes of Glouceſter, Somerſett and Devon; whereby it came, That in the twoe and thirtieth yeare of King Henry the third, ſhee was preſented to the Aſſiſes at Glouceſter to bee the Kings widow, ex donatione dñi regis, And that her land in that County valued two hundred pounds per Anñ **Shee** held alſo a Manor in Aure in the hundred of Blediflowe in the County of Gloc:

Her husband had built a faire houſe neere the Church in Wotton, vpon the place of the Capitall meſſuage, where before his death hee often abode; in which place ſhee kept her reſidence moſt of the dayes of her widowhood, And thereupon was
in

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Plita et Affis: 5
H: 3. in recept
Sçij.
plita. 32. H: 13. ibm.

Eſcaet. in arce
London. 2. E. 1.
nº [12.]

Carta in Caſtro
de Berkeley.

Plita aſſis: in
re: Sçij 32. H: 3.
Rot: Ragem: in
rec: Sçij 4. E: 1.

Cartre in Caſtro
de Berkeley.

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Rot : in thefaur :
recept. per fe.
Cart : 36. H : 3.

Carte in Caſtro
de Berkeley.

Carta in Caſtro
de Berkeley.

Wotton Towne.

Carta in Caſtro
de Berkeley.
Vetus manuſc :
in Caſtro de
Berkeley.

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Plita de quo warr.
15. E : 1. rot : 12 in.
rec. Scij.

fol : [227.]

in Comon appellation, called, domina de wotton, my lady of wotton as many Deeds | doe witnefs : **And** ſuch was her affection to that Manor, that the ſecond of Auguſt in the xxxvjth yeare of King Henry the third, (eight yeares after the death of her huſband,) ſhee procured to her ſelfe for life, And after to the Lord Maurice her ſonne and his heires, a grant of free warren within her Manors of Wotton and Came, And a Market to be holden every Friday at Wotton, and a faire every yeare to bee there likewiſe holden, vpon the Eve, the daye, and the morrowe, of the exaltation of the holy Croſs, withall libertyes and free Cuſtomes which to a market and ſayre appertayne : **And** for the holding thereof out of her Manor of Wotton, which conſiſted of the fix hamletts of Nibley, Sinwell, Wotton, Combe, Wortley, and Bradley, ſeleſted the ſayd Hamblet of Wotton, whereof the whole Manor had the name, And which at this daye wee call the Burrowe or market Towne of Wotton or the new Towne. **And** the next yeare after, agreed with the Inhabitants of that hamblett of Wotton, by the name of her free Burgeſſes of Wotton, That their Burgages ſhould conſiſt of a third part of an Acre accordinge to the cuſtome and uſages of Tetbury : And that every of them ſhould haue free entry of Paſturage with a hors and a cowe into the three feilds of the ſaid Manor after Michaelmas day, paying to her twelve pence yearly for every burgage. **Which** deed of the ſayd Lady Jone, the Lord Maurice by his deed dated on St Mathews day in the ſayd xxxvijth yeare of Henry the third (the date alſo of the ſayd lady Jone's), confirmed for him and his heires building, where nowe it ſtandeth, the backer part whereof is called the old Towne to this day : **And** this place in many deeds, for the ſpace of one age after, was written, novus burgus, the newe burrowe Towne ; And found the favour to obtayne afterwards from the lord Thomas ſonne and heire of the ſayd Maurice, a confirmation by his deed dated on Eaſter daye . 1282 . in the Tenth yeare of Kinge Edward the firſt, (the next yeare after his Barony was diſcended vpon him,) of all | their burgages, Comons, and Cuſtomes, as freely as they held or enioyed the ſame in the tyme of his Father, **which** grant of free warren, market, and faire was in the fifteenth yeare of King Edward the firſt vpon a writt of quo warranto then brought againſt Thomas Lo : Berkeley ſonne and heire of the ſayd Maurice, pleaded againſt the kinge, and allowed vnto him, as in the life of the ſayd Lord Thomas is declared.

This lady Jone may bee held to have bene ſomewhat too much enclined to contention, through the many ſuits of ſmall moment wherewth ſhee oft entangled herſelfe, both with ſecular and eccleſiaſtical perſons whereof I mention many amongſt the lawe ſuites of the lord her ſonne, for that ſuch ſuites for the moſt part reflected vpon his inheritance, but omit more.

Having

Dauid overlived the ordinary course of nature in the height of old age, the deceased on the xxijth daye of May about the fourth yeare of the raigne of King Edward the first, And was buried neer her husband in the Church of the Monastery of S^t Auguftines.

Newl : pedeg : in
Castro de Berkeley.
Rot : Ragem : 4.
E : 1. in Rec : Scij.

His Issue

1. **Maurice** eldest sonne of this lord, succeeded in honor, whose life at large doth followe.

2. **Thomas** the second sonne, somewhat surviued his Father, part of whose portion was the lands at the Edge, with Simondfall, which hee enlarged by his purchase made of divers lands there from Elias of Combe, of whom I have formerly written : **Hee** attained the honor of knighthood, and dyed vnmarried about the xxxijth yeare of Henry the third ; And in steed of children to inherite him, gave a great portion of those lands and woods which were of his fathers gift and his owne purchase, to the Monastery of Kingeswood, by severall deeds at severall tymes, | wherein hee expresth the intent of his donations to bee, for the welfare of his owne soule, and of his fathers, and Mothers, and all his Ancestors and freinds ; which the lord Maurice his brother after confirmed : **And** theis at this daye are the inheritance of S^t Gabriell Lowe knight sonne of S^t Thomas Lowe an Alderman of London, reputed parcell of his Mannor of Owfelworth which by theis gifts is much enlarged : **In** which monastry this Thomas lyeth buried : **Upon** whose death Robert de Berkeley as brother & heire to this Thomas brought seaven severall actions against the Abbot of Kingeswood and six others for lands in Simondfall and Berkeley, which (faith hee) descended to him as heire to Thomas his brother, dead without issue : The Abbot and they plead that Maurice was elder brother to him the sayd Robert, to whom the lands ought to descend and not to him, And soe was barred in his sute and amerced pro falso clamore : **Which** is all that ever I found of the sayd Robert, who was third sonne of this Lord Thomas.

Carta in Castro
de Berkeley.
Plita assis : 32.
H : 3.
in thefaur : Scij.

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diuersæ Cartæ
in Castro de
Berkeley.

Plita assis : 32.
H : 3. rot :

3.

4. **Henry** his fourth sonne, attained likewise to the honor of Knighthood, as many deeds doe wittnes : Hee dwelt at Beoly which hee had by conveyance from his father, as also divers other lands in Wotton and Came. **And** from the liberality of Jone his Mother, hee had in her widowhood, a message and a yarde land in Bradley to him and the heires of his body, with remainder to Richard his brother and the heires of his body : I find noe issue descended of him.

cartæ in Castro
de Berkeley.
Magna cartul : fo :
59. in castro de
Berkeley :

5. **William** the fifth sonne of this Lord Thomas and Jone, was likewise rewarded with the degree of Knighthood ; his portion (in part of his maintenance)

carta in castro
de Berkeley.

was

1262. was in Bradley, wherein hee afterwards in the xlvijth of Henry the third estated Peter of Ewley for his life, what tyme for fifty markes more in money hee bought him out of his part of the village of Ewley which his Ancestors had long held, And thenceforth for some tyme hee lyved in that parish with Margaret his sifter then the wife of Ancelme Baffet, as after followeth: which purchase of his, John sonne of the sayd Peeter of Ewley afterward | confirmed to him: **Hee** tasted also of his Mothers liberality, whoe gave to him and the heires of his body the manor houle of Bradley now the inheritance of Arnold Oldifworth Anno 1620. **Hee** had issue a sonne called Mauricius de Came by Maude his wife daughter of Nigell of Kingescote, To whom his Cozen Germaine the lord Thomas in the one and twentieth of Edward the first granted that hee and his Tenants in Came should bee freed from payement of peter pence. **About** which tyme hee dying without issue, his said lands in Bradley reverted to the sayd Lord Thomas as right heire of the lady Jone his grandmother. **This** S^t Willm, as I conceive, is hee, of whom Robertt de Gloucester in his manuscript Chronicle in the life of king Henry the third, writeth, That the Sunday before the battaile of Evesham, a famous K^t willm de Berkeley, with a great number of welchmen arryved at Mynhed before Dunster for to robb Somersethshire; Against which Adam Gurden keeper of the Castle, came with strength and withstood them, and many slue, and many foe distressed foe with their Captayne, that they dreint¹ to botwards. **And** in this lvjth yeare of King Henry the third, hee came before the Kinge then at the Tower in London, and promised to render himselfe into the religion of S^t John Jherusalem, or of the Templers, before quindena Pasche in that yeare, And to goe towards Jherusalem or to any other place out of the kingdome of England, as hee should bee directed by the bretheren of that Order, never after to returne into England, and thereof tooke his Oath, and put in fowertene pledges to performe the same, whereof his brother Richard de Berkeley was one; which banishment, I suppose, was occasioned by his former insurrection or inrode.

magna chartul.
fo : 36. 37.

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Carta in Castro
de Berkeley.
carta cū Antonio
Kingescot de
Kingescot.
Carta in Castro
de Berkeley.

Robt de Glouc :
in vita Regis. H: 3.

plita corā Rege
Hilar: 56. H: 3
rot : 18.

Rot. pip: 46. 50.
et 55. H: 3.
plita corā rege
56. H: 3. rot: 18.

fin: 45. H: 3. et 53
eiusd Regis.
Cartæ cū. Will.
Baffet de Ewley.

6. **Richard** the sixth sonne, was also a K^t, and often written, Ričus de Berkef frater Maurič de Berkele, And Ričus de Berkef de Coñ wiltefs; **What** portion he had from his father, other then his lands in Wiltshire, I find not, but from his Mothers grant hee had divers lands in Nibley, which after her death hee sold to John Secheville by his deed sealed with the Cheveron without the Croffes, distinguished by a file with five labels, to shewe that he then was a fifth brother, And hath the superscription, Sigillum Riči de Berkef. **And** of his owne severall purchases, had divers lands in Ewley Huntingford and Wike, **Of** whome I have read noe more

¹ "dreint."—third person plural of the preterite of to draw A. S. dragan past participle drægen. [Ed.]

more, save that the Knighthoods of all theis bretheren | were gayned in many batels against the Welsh, Scotts, and French, where they often were with theire father, and elder brother, vnder whose cullors some of them dyed. And that in the liijth yeare of kinge Henry the third, was a troublefome fuite betweene this Richard de Berkeley and Robert de Stone for halfe a yard land in Came. 144

plita de Affis.
53. H : 3.
apud Glouc :

7. Margaret daughter of this Lord Thomas, was in her fathers life tyme maryed to S^r Ancelme Baffet knight, to whom and the heires of her body her father had formerly given, (whilest shee was sole) the moytie of the manor of Ewley in the hundred of Berkeley, To hold of him by the service of the fourth part of a knights fee, and by twoe fuits to his hundred of Berkeley yearly : Which Ancelme & Margaret had issue John and Edmond both knights ; John dyed without issue ; And the said Edmond by Ifabell his wife daughter and coheire of an other Baffett, had issue S^r Symon Baffett knight, a gentleman as remarkeable in his tyme as any that then lived in his County, as more then forty records doe wittnesse ; who by Mawd daughter and coheire of John de Bitton, had issue S^r John and Maurice. S^r John dyed without issue, And Maurice had issue John Baffett, father of Robert Baffett, Father of Giles, father of Robert, father of William, father of Edward, who by Ifable his wife daughter of Henry Ligon Esq^r, (of much estimacon with Henry Lord Berkeley) had issue William Baffet, father of William ; still owner of the sayd moytie of the Manor of Ewley aforefayd, ward to the kings Ma^{ty} that nowe is for his lands in the County of Somersfett holden in Capite, Anno . 1618 : Of the yonger branches of which Edward and Ifabell Ligon his wife, read after in the life of Maurice lord Berkeley the fifth of that name.

2 cartæ in Castro
de Berkeley.

diversæ Cartæ
cū wilsō Baffett
Ar: et wilsō Gibbs
de Nibley :
Baffet.

fol: [628]

8. Isabell yongest daughter of this Lord Thomas lyved long in the families of her brother and Nephewe, the two next Lords, and was never maryed for any thinge that I have observed. |

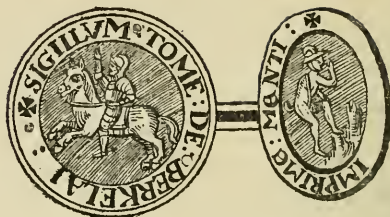
His Seales

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The feales which this lord Thomas vsed to his Charters both in yellowe and greene wax were of divers forts : Sometymes he sealed with the Chevron, and the George on horsebacke on the Reverss : sometymes with the Chevron alone, without any reverss or privy seale on the dorfe at all : And sometymes with the George mounted ; and for the revers a naked old man supported by crutches : All his Seales were circumscribed, Sigillum Thomæ de Berkelai. And was the first that brought the Chevron into the bearing of this family. Behold the Figures.

R

His



His death and place of buriall

After this Thomas had sit Lord three and twenty yeares and a halfe from the death of his brother, and was aged about threescore and sixtene, cometh the xxixth of November . 1243 . in the begininge of the xxvijth yeare of King Henry the third, when he furrendreth his soule to him that gave it, And his body to the keepinge of the Monastery Church of S^t Augustines by Bristoll in the south Ile, in the Arch next the rood Altar, And his earthly honor and barony to Maurice his eldest sonn, And theis possessions to maintaine the state thereof, as the offices after his death lately extant of record, but nowe perished from the file (but exemplified vnder the great Seale fifty yeares past and foe still remayninge in Berkeley Castle) doe declare. |

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His lands whereof he dyed seized

The manor of Berkeley
 The manor of Hame, under which is
 Appleridg comprehended
 The manor of Alkington
 The manor of Hineton
 The manor of Hurst
 The manor of Slimbridge
 The manor of Came
 The manor of Cowley
 The manor of Wotton
 The manor of Simondfall
 The manor of Arlingham
 The hundred of Berkeley

In the County of Glouc :
 valewed at 212^{li} 12^s 11^d.

Which (saith the office) are of the old Feoffment of the Kinge, and holden by five knights fees, whereof S^t Robert de Gurnay is to acquite him of one knights fee

fee and a halfe for Beverfton and Kingeswefton, And Nicholas the fonne of Roger, of halfe a knights fee, for Hill and Nymesfeild.

The manor of Portbury	}	in the County of Somerfet
The manor of Bedminfter		

The three hundreds of Bedminfter, Portbury and Hareclive which hee purchafed of Maurice de Gant his Cozen, whose father Robert de Were had the fame of Robt Fitz Hardinge his Father.

finis in banco.

The manor of Bray in the County of Deuon which this lord gave to Thomas his fecond fonne and his heires. His manor of Foxcott this lord gave to his Nephewe Osbert Gifford his fifters fonne in fee, who was one of his Caftle pledges to the king as formerly is touched.

carta in caftro
de Berkelaj.
carta in caftro
de Berkelai.

fol: [127]

The application and vse of his life

1. The life of this lord crowneth the truth, That affliction maketh wife: for after hee had freed himfelfe from his rebellion againft King John (wherein hee fided with the Lord Robert his elder brother) and had obtayned, by the mixt meanes of money, frendfhip, and mariage, | his lands out of the kings hands, Though hee fawe three and twenty yeares after, in a tyme wherein the affaires of ftate never went certayne or playne, but either vphill, downhill, or in crooked courfes, vnder an vnconstant kinge, Yet hee foe evenly observed a prudent inclyninge after the ftrogeft powers, That hee ever avoyded thofe Court & Country stormes, which in his tyme, blewe downe many ftonger Cedars then himfelf: Our dayes tell vs, That this prudence, is, to be a bendinge withy, not a ftubborne Oke: A prefident for prefent tymes; And hee that taught vs to bee harmleffe as doves, bad us alfo bee wife as ferpents.

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2. Againe, by the example and praftice of this wife lord, his pofterity is inftituted, not to make themfelves as bodyes of Chrifftall, that all men may looke through them, and difcerne all the partes of their difpofitions; And thereby teach others either howe to ryde or drive them; But to knowe that wife men, though they have fingle harts in all that is iuft and vertuous, yett they are like Coffers with double bottomes, which when others looke into being opened, they fee not all that they hold on the Sodaine, and at once; And how this their prudent Anceftor fitted his counfells and Actions with the kinge and ftate, accordinge to the tymes and Seafons, not fufferinge fuch an hole to bee in his hart, as every foole to looke at; And to doe thereafter.

3. **Againe**, the life of this lord, not more prudent then modest, ferveth to depresse and deieft vayne glorious men, standinge much vpon their gentry and discent, as many bragadochioes doe, that have noething to comend them but their Ancestors names and Armes ; As for their vertues and lands, they have shipwrackt them in their Journey towards Vtopia, with their wardrobe to boot ; A base humor, far removed from this worthy lord, As I hope it will ever bee from all his noble posterity. |

148 blank

finis Thomas the first

The Life of Maurice the Second

149

The Life of Maurice lord Berkeley the second of that name, stiled in writings, Mauriç de Berket : And, dominus Mauricius de Berkeley ; And, Mauricius Dñs de Berkeley ; And, dñs Mauricius Dñs de Berkeley And Mauriç de Berket dñs de Portbury ; And Mauricius de Berket filius et hæres Thome de Berket.

And may bee called, Maurice the resolute.

Contemporary with Kinge Henry the third ; and part of Kinge Edward the first, from . 1243 . to 1281.

Whose life I lay downe vnder theis ten titles (vizt .)

- 1.—**His** manner of entringe vpon his barony . fol : 149.
- 2.—**His** liberality to the Abby of S^t Augustines . fol : 151.
- 3.—**His** suites in lawe . fol : 152.
- 4.—**His** husbandries . fol : 166.
- 5.—**His** wife . fol : 171.
- 6.—**His** issue . fol : 174.
- 7.—**His** seales of Armes . fol : 177.
- 8.—**His** death and place of buriall . fol : 178.
- 9.—**His** Lands whereof hee dyed feifed . fol : 178.
- 10.—**The** Application and vse of his life . fol : 179.

His manner of entringe vpon his Barony

This Lord Maurice was not long before his fathers death returned from the warres of France, where almost two yeares hee had remayned with kinge Henry the third, whose letter to his Father, (when in the six and twentieth of his raigne from Zantoigne in Gascoigne hee sent for him) is, That the French then intended noething but warre : whereupon this Maurice leauinge behind him | a protection from all suites and troubles in his estate whilest hee should bee in the kings service, went over, attended with three knights as hath bene said in

Diuerfæ Cartæ
in Castro de Berk :
Aug: Chartul: fol:
60. 61. 62.
diuers rot: pip:
in Scçio.
diuers rot: in arce
londontemp: H:3.

Claus: 26. H: 3.
pars 3. in dorfo
Rot. pip: 28. H: 3.
Glouc:

150

pat: et cart:
26. H: 3.
fol: [137]

the

pat : et : cart : 27 :
28. H : 3. in valcon.
m : 17.

the life of his father ; **And** by his service obtayned those benefitts to his fathers estate whereof mention hath bene already made ; And the kings good opinion towards himselfe, declared in his guift of twenty markes to buy him an hors the sixth of February in the xxvijth of his raigne then at Burdeaux whereof hee receyved five markes in hand, and warrant for the rest out of the first monyes that should come out of England.

fin : 27. H : 3.
pars. 1.

And the xxvijth of the same month had, de dono regis, given him by the kinge, twenty markes more out of the kings coffars, as a reward of his service.

Claus : 28 : H : 3.
pars. 1. m : 17.

See before
fol : [137]

And the sixteenth of December following in the xxvijth of the kinge (three weekes after his fathers death) the kinge out of his prerogative over the Jewes and favor to this lord, remitted to him the hundred markes which his father the lord Thomas had borrowed of David the Jewe of Exceter, comandinge his security given for the same to be taken from the Jewe, and delivered vp to him ; **And** for lawe, renders this reason, because it was borrowed by the lord Thomas his father for the better furnishinge of his sonne Maurice ad transfretandum in Vasconiam in servicio regis, to passe over sea into Gascoigne in the kings service ; **And** thus was the Jewe used like a Jewe, stript first of his interest, and then of his principall monye.

fin : 28. H : 3.
pars. 1 m : 10.
Original : in Scčio.

28. H : 3.

Magn : rot : in Scčio.
28. H : 3.

Pafch : rec : 4 : E : 3.
in Scčio : rot : 7 et
8.

Rot. pip : 28 : H : 3.
Glouc : eod rot.
29. et 31. H : 3.

And the xxiiijth of the same December this Lord did his homage to the kinge at Windfor for his Barony and lands, three weekes before disceded in Fee simple vpon him by the death of his Father, And had feisin accordinge to the course of the Excheq, with his writ to the Sherife of Gloucestershire, wherein hee was required to take security for his releefe, which hee compounded with the kinge for one hundred pownds, And soe payd as by the pipe roll in theis words appeares : Mauriç de Berkeley reddit com̃m de . 100^{li} pro reſio ſuo de terris quas Thomas de Berkeſ tenuit de rege in capite ; Maurice of Berkeley payes . 100^{li} for his releefe for the lands w^{ch} Thomas de Berkeley held of the Kinge by knight ſervice in capite. |

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fin : 28 : H : 3.
pars. 1. m : 9.
fin : 29. H : 3. m : 3.

And the sixth of February followinge, as a further declaration of favor, this Lord had the kings spetiall privy Seale to the Barons of the Exchequer, That when vpon search they had found what detts his father owed to the kinge, they should thereof write to the said Sherife to take security of his executors at certayne dayes, and forbear to leavy the same, makinge restitution of whatfoever goods or chattells hee had taken, least thereby the due execution of the will of the sayde Thomas might in any thinge be hindred.

Which

Which by like favour and warrants beinge forborne for two yeares, was first stalled at twenty pownds each halfe yeare, And the xxiiijth of Aprill in the fayd thirtieth yeare, had twenty and fower pownds thereof pardoned to him by the kinge, in lieu of his fowercore dayes service, wherein hee was with his three knights wth the kinge in his warres in west wales against the welsh.

fin: 30: H: 3. m: 6.
9: et: 16.

In which tyme he fetled his Mothers dower and estate in those Manors and lands of his inheritance which of right belonged vnto her.

carta in Castro
de Berkeley.

And shortly after out of a pyous imitation of his Ancestors, not onely confirmeth to the Abbot and Covent of the Monastery of S^t Auguſtines, All the former grants and donations of his Ancestors, and of all others, which any Freeholders within his fee & feignories had made vnto them, releaseth therewithall his rents and services: But giveth also vnto them out of his further liberallity, divers lands in Berkeley, Bevington, Wallgaston, and Arlingham, and Comon of Pasture for their rudder beasts, and swine, to goe and feede with his owne herds in divers of his Manors within his hundred of Berkeley, and in Portbury: which (say this lords deeds) are bestowed vpon them for the helth of his owne soule, and of Ifabell his wife, and his Antecessors. **And** afterwards by another deed, granted to the said Abbot and Covent, Comon of pasture for fower and twenty oxen, Seaven Sowes, and one bore, with their broodes of one yeare old, in Walmorgaston, in Hame, Lafrid, and gorst there. |

Aug: chart: fo: 60
61. 62. 63. 64

carta cum Decan
Bristol dat: 53.
H: 3.

Carta in Castro
de Berkeley.

His suites in lawe

152

The same yeare, wherein the father of this Lord Maurice dyed, Joane Berkeley and Margery hir sifter, gave to Kinge Henry the third ten Markes for a Fine to haue an Assize of Novell disseisin tryed at Glouc: before Roger de Thurkelbye and his fellowes brought by them against this Lord Maurice, Teste the writ 9 Julij in the xxviiijth of Henry the third.

Rot: fin: 28. H: 3
pars. 1. m: 4.
Rot: pip: 28. 29.
H: 3.

Having brought an hasty acc^{on} against Willm de Valence and Jone his wife, and against Mawd Countess of Glouc; after his first heat grewe weary thereof, And vpon sute to the Court had licence to recede.

Plita et iurat. 53.
H: 3. apud Glouc:
coram R: de
Midletō.

William Mauduit Earle of Warwicke and Alice his wife enfeofed the Master of the hospitall of Longbridge by Berkeley and his successors of thirty Acres of wood in Egeton in Hinton; This Lord Maurice forbids the mortmaine because it

Ibidem.

Pasch: 43: H:
in banco cōi.

was

was holden of him, which being tryed by Jury This Maurice had the verdit, And foe the Hospitall lost the land: Of this wood called Burnd wood (now the Lord Berkeleys) fee a fine in the three and fortieth yeare of Henry the third betweene the sayd Earle and Phillipp de Leicester.

Carta in Castro
de Berkeley.
fol: [55]
Nicholas dyed in
46. H: 3.

Nicholas the sonne of Roger, (cozen in the first remove to this Lord) denyeth to doe suit to the two law dayes of that Lords hundred of Berkeley for his Manors of Hill and Nymesfeild, given to his great grandfather Nicholas lord of Tykenham by Robert Fitz Harding his Father, as hath bene said; presentments are made of the defaults, distresses are taken, lawe proceeds, peace followeth; **An** agreement by Deed Indented is made, That the sayd Nicholas himselfe & his heires should bee dischargd of their personall fuites and Services to the said Courts, But that the freeholders, and three of the Tenants of the said Nicholas, and the prepositus (provost or Reeve) should doe theire fuits and services as was demanded; To which effect also is an other Deed in the eleaventh of Edward the second in French whereby Thomas then Lord Berkeley sonne of this Lord Maurice sends his warrant directed to his Steward Bayly and all his Officers within his hundred of Berkeley signifying | that his pleasure is for himselfe and his heires, That John Fitz Nicholl Lord of Hill, shall for his Manors of Hill and Nymesfeild Joyntly answaere by three men and the provost to the law day of Berkeley twice by the yeare, to make presentment of all such thinges as they ought to present, And all the rest of the Inhabitants to bee discharged; which to this day, Anno. 1628; is foe performed: **And** if the phraze in the first of this old deeds seeme obscure, let a later that followed explaine the same, bearinge noe date, but made about the thirtieth yeare of the raigne of K: Edward the first; betweene the Lord Thomas sonne of this Lord Maurice, & Nicholas sonne of Ralph sonne of the forefayd Nicholas, whereby this Nicholas sonn of Ralph lord of the Manors of Hill and Nymesfeild granted to the sayd Thomas Lord Berkeley and his heires, the fuites of his Copihold Tenants, (called villani) of his sayd Manors of Hill and Nymesfeild to his two lawe dayes of Berkeley hundred yearly, foe that his sayd Tenants of either Manor should come by three men and the Reeve to heare, doe, and present, all thinges accordinge to the lawe and custome of England, as other Townships of the said hundred accustomed to doe. **And** howe this sute was profecuted betweene this lord and the sayd Nicholas sonne of Ralphe the Kings writ dated the xxvijth of January from Netleham sent to his Justices of the Conon pleas. will declare; wherein hee willeth them to take notice, that this lord Thomas was in his service on friday Octabis hillarij last, whereby hee could not bee present at the plaints before them,
betweene

copia antiquæ
cartæ cū Maistris
de Nymesfeild.

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Carta in Castro
de Berkeley.
this Nicholas died
6: E: 2.

claus: 29. E: 1.
m: 9:

betweene the faid Nicholas and him, and betweene him and the faide Nicholas vpon cattle mutually diftrayned by either of them, And therefore comaunded them that this lord should loofe noethinge by his default, becaufe, as to theis plaints, the kinge would warrant to him thofe dayes.

And this later Deed feemeth alfo to bee explained by an other, which came afterwards; whereby Thomas Lord Berkeley grandchild of the former Thomas, writeth to his Steward of the fayd Courts the first daye of Auguft in the twentieth of Edward the third, That John sonne of the fayd Nicholas and his heires shall henceforth for his Manors of Hill and Nimesfeild, Joyntly anfwere by three men and the provost to the lawe day of Berkeley twice by the yeare, there to make presentment and doe that which belongeth to thofe dayes and to difcharge the rest of the Inhabitants from that appearance | and fervice: **Which** deeds I have the rather here cluftered together, becaufe of the Controversies that have arifen since I was Steward of theis lawe day Courts for refusall of theis services comprehended in theis agreements: And finally I refer this family to the quo warranto brought againft the faid Nicholas sonne of Ralph in the fifteenth yeare of Edward the first, mentioned in the life of Robert the first, which cleereth the Controversy.

Carta in Castro
de Berkeley.

this John dyed in
49: E: 3.

154

quo warr: in rec:
Scčij. 15 E: 1.
rot: 7.
fol: [57]

At the tyme of the foresayd controversy one William Golafer a freeholder within the fayd Manor of Hill, by the encouragement (as may seeme) of the fayd Nicholas his cheife Lord, denyed his fuit alfo to the hundred Court of Berkeley (called curia forinfeca de Berkeley) for his freehold land in Hill, which other freeholders there then performed: A distresse is taken, An agreement followeth; for the faid Golafer by his deed acknowledgeth the fuit demaunded to bee dewe from him and his heires, And this lord Maurice in consideraçon of an Oxe and a marke in money, releaseth to the fayd Golafer that fuit for the terme of his life onely. **This** was not for fervice to the Leete or Lawe day, but to the hundred or three weekes Court of Berkeley, or the Court of pleas, as at this day it is called, holden each munday three weekes.

At this tyme alfo this lord diftrayned Witfm de Camuile for not doinge his fute to the hundred Court of Berkeley from three weeks to three weekes for a messuage and a carucate of land in Wike within his Manor of Alkington, who founde himfelfe to have the worst in the fuit; They fall to agreement, And by a syne leavyed betweene them in the five and fortieth yeare of Henry the third, this Lord releaseth the fayd fuit of Court to the faid Witfm and his heires, And in lieu thereof,

the Fine 45. H: 3.
in receipt: Scčij.

Withm releasfd to this Lord Maurice, all the damages hee had fustayned by this lord's vniuft distrefse.

Rot : fin : 35. H :
3 m : 1.

The kinge demaunds escuage of this Lord by procefs out of the Excheq, for that hee was not with him in his late Journey againft the Scots, a fervice hee was to haue performed for the Mannors which Thomas his Father held of him by knight fervice, faith the writ ; Hee proveth that hee was with the kinge that
155 voyage, And foe hath the kings pdon | dated the eleaventh of November in the five and thirtieth of Henry the third, by pleadinge whereof hee obtayneth peace and a difcharge from the Money. But of an other dett' of thirty nyne pounds owinge to the kinge by this lord and his Father, could obtayne noe more, then the ftallinge thereof to bee payd by twenty marks a yeare.

Rot : fin : prædic̃

carta 46 : H : 3.
cum Maiore de
Berkeley.

imperiall peeces
of gold, coined
at Bijāt, or
Conftantinople.

Hauinge drawne into fuit part of the priuiledges which the Maior and Burgeffes of his Burrowe of Berkeley claymed, part by grante from his Father, and part by prefcription, this lord came afterwards to a compofition with them, And for ten markes in money payd to him felfe and twenty fhillings to Ifabell his wife, pro bizantijs fuis, hee releasfd to his faid Burgeffes and Marchants and theire heires and Affignes, all exaétion and clayme of Toll, and all kind of Thallage and Toll which hee had or might demaund of them.

Cartæ in Caftro
de Berkeley.

Hauinge purchafed Burnd Wood in Hinton of Phillip de Leicefter againft Henry his fonne and heire this lord fhortly after brought his writ of warrantia cartæ for his better affurance, wherein he had iudgment, and after a releafe from his widowe alfo.

Cartæ in Caftro
de Berkeley.

plita : 53. H : 3.
apud Glouc : corā
R : de Midleton :

Hauinge a like defire to enlarge his Manor of Came with a faire farme therein called Plaunches, this lord agreed with Thomas de la Plaunch (who pretended a title thereto) That if in his name, hee could recover it from William Mauduit Earle of Warwicke then in poffeffion thereof, That in lieu of his right and title, hee the faid Thomas fhould bee the Mafter of his hounds for his life, and have an allowance of horfe and boy, meat and dyet, and two robes, with eight fhillings of money yearly, as hee accuftomed to allowe to the other of his Efquiers at Berkeley. **This** I note as well for the vnlawfullnes of the contract, and to fhewe the defire of this lord to worke trouble to the fayd Earle with whom hee was in enmity, as to fhewe the Order of the fervants of this Lord in the firft yeare of King Edward the firft, Anno. 1273. **Of** the recovery of the farme hee miffed, Howbeit his fonne Thomas the next Lord obtained it by purchafe.

In

In the xxxijth yeare of kinge Henry the third, this lord for the health of the foules of himselfe and of Ifabell his wife, gave to god and to blessed Mary of Blantha Landa, a water mill and divers landes in Bedminster by Bristoll. |

Carta cū Arthuro
Kemis, modo in
Castrō Berkeley.

This lord Maurice gave to the Abbot of Kingeswood a messuage, and divers lands and Tenements in Hame and Berkeley for the health of his soule and all his Ancestors: In recompence whereof the Abbot granted that this Lord and his Tenants of his Manor of Simondfall should have free ingresse and egressse to and fro his land called Egge, which hee the said Abbot had of Thomas brother of the said lord Maurice (approved also by his confirmacon) to lead and drive their cattle goinge at Simondfall vnto the water called Lodewell, there to water them.

156
Carta in Castro
de Berkeley.

Magn: chartul:
fo: 20.

To Henry Clifford this lord gave a Messuage and yard land in Slimbridge, Gosington and Hurst to maintayne therewth a lampe perpetually burninge in the Church of Slimbridge, and paying to him a penny rent.

Carta in Castro
de Berkeley.

Aug: chartul:
fo: 74.

The grand Jury that served for the hundred of Berkeley before the Justices Itinerant at Glouc: in the fourth yeare of Kinge Edward the first, layd the foundation of troble and expence to this Lord and his sonne, who there presented, That this Lord claymed to have retourne of writts throughout his said hundred, the ratinge of the Assize of bread and Ale, gallowses for the execution of theeves, tumbrell, and the like, And that hee had imprisoned and punished, (probatores) impeachers of others for felonies, and divers other supposed malefactors, in his Castle of Berkeley, and in the Stocks; extorted money vniustly from them, and let them thereupon goe at liberty, with other the like complaints.

Rot: rageman: 4.
E: 1 in receipt:
Sij:

And that hee had distrayned Ancelme de Gurney aswell in the kings high wayes, as without, in his Manors of Beverston, Aylberton, and Kinges-weston, (which are holden of the kinge in Capite) because hee would not take his measures of Assize from his standard, whereas hee ought to receave them from the kings Marshall.

And like complaint against this Lord did the Jury in Somersethshire make touchinge his hundred of Portbury; who presented that hee vsed to take wrecks of fea, but not knowne by what title: And that hee in Hareclive hundred, and his sonne Thomas in Bedminster manor and hundred, vsed divers liberties otherwise then they ought, And that hee had taken Measures of Bushells, gallons and other

measures

measures, and broken them; And put vpon the Inhabitants other measures by their owne Standard, And at his pleasure amerced the freeholders and Tythings in their absence, for which they knewe noe warrant that hee had. |

157 **J**one lady Berkeley Mother of this Lord Maurice, in the xxxijth yeare of Kinge Henry the third brought an Affize of Novell disseizin against Willm Mauduit Earle of Warwicke for lands in Cowley, and for makeinge of a Ditche in Slimbridge vpon her land: Hee iustifies as his owne freehold; shee withdrawes her fuit, and is amerced for not profecutinge.

Ptita et affis.
32. H: 3.

eadem. **W**illm Mauduit, as precipitate for a lord as the lady for a woman, brings his Action against the said lady Jone, for detayninge of a Deed from him, which shee denies, And hee not able to prove it, was amerced, pro falso clamore.

eadem **A**nd the sayd Earle and Alice his wife bring an other Action at the same tyme against this Lord for five shillings rente in Slimbridge; This lord prevayles, And the Earle is amerced as before, pro falso clamore.

eadem. **I**n an Affize for an house in Berkeley brought by Ruffell against Fitz-John and others, this lord Maurice is vouched to warranty, who appeares, and pleads his feisin, and Joynes issue vpon the battle; And brings in John de Gwa his champion, the def^r Ruffell makes default for want of a champion beinge a poore man, (saith the record) And therefore not able.

eadem. **T**he said Willm Mauduit Earle of Warwicke and Alice his wife brought a warrantia cartæ against this Lord Maurice to warrant to them five shillings rent in Slimbridge, which they had from Thomas his father; hee pleads they had but twelue pence thereof, and soe barrs their Action.

pat: 33. H: 3. in
dor: corā reg. in
itinere versus
Cannoc.

A trespall had bene in an Affise of Novell disseisin for Comon of pasture in Symondfall, Wortley and Owfellowth betweene the Abbot of Kingeswood and the lady Jone this lords mother, which passed against her; Shee holding her selfe wronged by the verdict, brings her writ of Attaynt agaynst the first Jury, And being at issue, A Commission is nowe awarded to Simon de Wawton and others to heare and determine the same.

eadem. **T**he like affize of Novell disseisin was by the said Abbot brought against the lady Jone for Comon of pasture in Wotton, and vpon issue ioyned the like Commission to here and determine was awarded to Henry de Bathon and others.

One other the like Action hee had against the sayd Abbot for Comon of pasture eadem.
in Simondfall.

And a fourth of like nature against the sayd Abbot for lands in Wotton and eadem.
Simondfall.

In the xxxiiijth yeare of Kinge Henry the third, Withm de Fourd by his writ Plita Trinitatis.
of right, demaunded against this Lord Maurice halfe a hide of land | in Eastbray 34: H: 3. rot: 25:
in Deuonshire, who ioyned issue vpon the battle, The battle by their Champions 158
is stroke, And the Champion of the demaundant is overcome, whereupon finally
Judgm^t is given for this lord the tenant.

The next yeare Mabilia daughter of Thomas de Stone brought an affize of Claus: 34. H: 3.
novell disseizin against this lord for lands in Stone, for hearing and determining in dorfo:
whereof, the like spetiall Comission was awarded to the said Henry Bathon and
others.

The Kinge the same yeare by proces out of the Exchequer, demaunds escuage fines. 34. H: 3.
against this lord, for not goinge with the severall Armies into Gascoigne and m: 5.
Cannoc, which for the tyme is respited: In the voiage to Gascoigne this lord was, Fines 35. H: 3.
and therefore is discharged: of the other I find noe other mention. m. 8. ultimo.

In the xxxvth yeare of Henry the third, Roger de Lockington arraigned an pat: 35. H: 3. in
Affize of Novell disseizin against this Lord for certaine Lands in Hame, And a dorfo.
Comission went out to Robert Walerond and others to heare and determine it.

Proces comes the same tyme out of the Exchequer to leavy xxxix^{li} v^s: as well Fin: 35. H: 3.
for the debt of this lord, as of his father, owinge to the kinge, which is stalled to m: 8.
bee payd by ten markes each Michaelmas and Ester Terme by equall portions till
the whole bee run vp.

In the xxxvijth of his raigne the kinge prepares an Army to goe into Gascoigne, Fines. 37. H: 3.
and somons this lord Maurice accordinge to the tenure of his barony to goe with pars. 1. m: 5.
him. The better to furnish himsele, hee borrowes of the kinge threescore markes,
which is agreed to bee payd by fiftene markes each halfe yeare, And soe the second eodem.
of July is inrolled in the Exchequer.

And at the same tyme the kinge pardons him fifty markes of the old det Pat: 37. H: 3. in.
of 93^{li} 5^s: which hee owed the kinge; And gives him repite for the rest vntill his dorfo
returne

returne from beyond Seas : And at this tyme this lord tooke over with him Roger de Lockington (growne freinds since theire tryall in an Affize two yeares past) William Fitzwarren, (where my felfe now dwell) John de Wanton (where Thomas Hicks of Cromhall now dwelleth) and others, none of whom forgot theire protections from fuites foe-longe as they should bee with the kinge beyond Seas : But in Seaven yeares the det is not payd though often called for by proces. |

Claus. 44. H : 3.
m : 11

159 In the xxxviiijth yeare of Henry the third, Witm le Botiller and others brought an Affize of Novell Disseisin for Comon of Pasture in Slimbridge against the fayd Johan Lady Berkeley, And a Comission now went out to Symon de Wanton to heare and determine the fame.

Claus : 38. H : 3.
in dorfo.

Claus. 40 : H : 3.
pars. 3. m : 7.

The kinge in July in the fortieth yeare of his raigne had staid fower dayes at Bristoll at the charges of Prince Edward his sonne, which cost the Prince xxxiiij^{li}. ix^s. v^d and seaven hogheads of wine ; And in passage thence towards Gloucester, was entertayned at Berkeley by this Lord Maurice ; In recompence whereof, pro honoribus et curialitatibus quas Mauricius de Berkei nuper fecit Regi in transeundo per patriam suam versus Glouc : for the honors and Courtlike entertainm^{ts} which Maurice of Berkeley afforded the kinge in his passage through his Lordshipp of Berkeley toward Glouc : the kinge doth pardon him and his Tenants of Berkeley and of Radecluefstreet, theire breaches of Affize of marchandizinge and measures belonginge to the kinge (as supream Clarke of the market) by reason of his passage through those parts.

And from Gloucester the nyneteenth of the same Month, the kinge comanded the Sherife That whereas hee had of late taxed all his demefne lands through England, If hee found that the Manor of Berkeley had bene heretofore the kings demefnes or any of his progenitors, and had been vsed to bee taxed when the kinge taxed his, That then hee should cause the same to bee leavyed within the fayd Mannor of Berkeley, to the vse of this Lord Maurice.

Pat : 41 : H : 3.
Pars. 1. m : 4.

In the one and fortieth yeare of his raigne, went forth a genall somons for all the Barons of the Realme, to goe with the kinge against his Enemies the Welsh, when Prince Edward attended his Father ; In which Army was also this lord Maurice, And then designed to attend the safety of the kings person, And had the kings protection for his freedome, and safety in his estate at home, foe long as hee should be in the kings service, dated in the Castle of Rothelan the xxijth of August ; from

cod in dorfo.

from which Journey the kinge was in the begeninge of winter enforced to returne for want of vittail for his Army. |

In the two and fortieth of his raigne was preparation for warres against Scotland : Howbeit the xiiijth of March comes the kinges Comission and Sommons to the Lord to attend the kinge agayne into Wales against Lewellin the sonne of Griffith his Enemy, as the yeare before hee had done, which hee performed.

160

Claus : 42. H : 3.
in dorso.

In the three and fortieth of his raigne was like Sommons, and an other expedition into Wales, whither this lord went also, yet went the kinge into France.

Claus. 43. H : 3.
pars. 1.

In the patent rolls of this yeare are entred (nowe first) some deeds and charters made by the kinge in the English tongue; from which at this tyme wherein I write, wee are soe departed, as I ingeniously professe, not to vnderstand the wordes and phrases of most part of them.

Pat : 43. H : 3.
m : 9 : 10.

The same, that after the like revolution of 362 yeares, our posterities will write of the English language I now write in.

In the fower and fortieth of his raigne, the kinge returninge from France, vnderstands that the Welsh had taken from him the Castle of Buelt, whereupon generall Somons and proclamations were sent all England over for rayfinge a greate Army against them : And the first of August, the king specially sends to this Lord Maurice to meet him at Shroesbury on the nativity of our Lady the viijth of September following with his best strength in horse and foote, to goe against the fayd Luellin prince of wales ; And hee prepares and goes accordingly.

Claus : 44. H : 3.
in dorso.

The first of March in the five and fortieth of his raigne, the kinge pardons to this Lord, eightene markes of old dets, for leavyinge whereof proces had long issued out of his Exchequer, all or the most being for americiaments vpon his hundred of Berkeley, for lawlesse excesses there vsed by and vnder him.

fin : 45. H : 3.
pars. 1. m : 15.

The xith of the same month, the kinge in this lords favor, writes to the Shereife of Gloucestershire, declaring that whereas hee had of late taxed all his owne demefne lands throughout England hee should now take care that Maurice de Berkeley should | likewise have reasonable tallage or ayde of all his Tenants within his Manor of Berkeley if heretofore it were part of the antient demefnes of the

Claus. 45. H : 3.
pars. 1. m. 15.161
talliari.

Crowne

Crowne, and had bene accustomd to bee taxed ; in much like fort as the writ of that kind was five yeares before to the Sherife of that County.

pat : 45. H : 3.
m : 14.

The five and twentieth of the fame Month, the Kinge gives to this lord, forty markes yearly pention out of his Exchequer, vntill he should bee able more liberally to provide for him in wards or escheats that should happen: **All** this tyme the kinge keepes at the Tower of London, and this lord attending on him.

Claus : 45. H : 3.
m : 12.

The five and twentieth of Aprill the fame yeare, the kinge pardons to this lord Maurice, the escape of two theeves, which the yeare before were taken & committed for robbery to Berkeley Castle, and thence escaped, commanding his Justices that should next ride that circuit, That they question not the sayd Maurice for the fame.

fin : 45. H : 3. m : 8.

The xxijth of June followinge, the kinge further pardons to this lord, an amercia-ment of one hundred shillings, set upon him by Gilbert de Preston and his fellowe Justices Itinerant at Bristoll for the escape of a felon out of his prison in Radeclive by Bristoll, and for the fame hath his writt afterwards to the Barons of the Exchequer, dated the sixth of October the fame yeare.

Claus : 45. H : 3.
m. 2.

liberat : 45. H : 3.

The xvijth of October following, The kinge sends his writ to his Treasurer and Chamberlain of his Exchequer, commanding them to deliver to this Lord, twenty markes of his fee dewe at Michaelmas laft for halfe a yeare vntill hee could better provide for him in wardes or in Escheates, **And** the like was done for the halfe yeare ending at Ester before.

eodem.

Claus : 45. H : 3.
in dorfo.

Whan of the Barons were nowe vp in Armes against the kinge, wherevpon the xvijth of the fame October, this Lord, by warrant of the kings writ, was required to bee at London the morrowe after Simon and Jude next (beinge but ten dayes after) withall his power of horfe and foote armed and apparelled for warre.

Claus : 45. H : 3.
m : 12. in dorfo.

162

And for the close of this troublesome yeare, take an agreement made the sixth of May. 1261 in the feest of John port-Latin | betweene this lord of the one part, And Christian the daughter and heire of Robert Brant of the other part, That whereas the Manors of Bixe, Stokenchurch, and Kikesham, in the County of Oxoñ, and the Manor of Faldingworth and other lands in the County of Lincoln were her inheritance, for recovery whereof this lord had betowed his great labor, coft, and

and diligence (for are the words) shee now hereby givith vnto him and his heires two third parts of the same forever, And shee to hold the other third part to her and her heires of the said lord and his heires, by the rents and Services due and accustomed **And** it was further agreed, That this Lord should finde to her during her life, victualls and vestments, sicut vñe domicellarum cameræ ipsius Mauricij, as to one of the waytinge gentlewomen of his bedchamber; And if at any tyme she brake this agreement, then the kings Officers of those Countyes to leavy of her lands one hundred pounes towards the fabricke of westminster, and five hundred pounes towards the charges of him the sayd lord; **for** observance whereof, either party tooke a Corporall Oath before Nicholas Archdecon of Ely the kings Chancellor, whereto also many of the kings household Officers were wittnesse.

The twentieth of May in the six and fortieth of his raigne, in consideration of twelve markes, the kinge grants to this lord and his heires to have free warren within his Manor of Wenden in Essex, and a market there each tuesday, and a faire yearely on St Peters daye, which Manor the lady Isabell his wife brought unto him in part of her mariage portion, as after followeth.

Against this grant in the yeare followinge, Richard Earle of Cornwall kinge of Almaine, the kings brother, opposeth by an action hee brought and strongly pursued against this lord, suggestinge that this market and faire in Wenden, was to the damage of his Market and faire in Nuport, wherein, through the defaults of this lords not appearinge, were divers distresses, and at last an Attachm^t against his body: which hasty Action and angry proceedings in a light | cause, have made me the more to doubt, whether the sayd lady Isabell were his reputed daughter or not, and this lord the sayd Kings sonne in lawe; And the rather because hee still enjoyed the kinge his brothers favor and good opinion of loyalty in this tyme, wherein for many of his Barons were up in Armes against him: **And** also (hanginge this fuitt) the kinge wrote the Sherife of Essex in the behalfe of this Lord Maurice, requiringe not to molest him or his lands for his absence from his last Turne, vntill hee should otherwise have in comāundment from him.

The xvijth of September in the seaven and fortieth of his raigne, the kinge tooke shippinge to goe beyond seas, from whence hee returned on St Thomas eve: And on the nyenth and xxijth of January in the xlvijth of his raigne, sends to this Lord, advertizinge him of his safe returne, And requires that hee forthwith Arme and prepare to bee at Hereford to goe against Luellin prince of Wales, who in his

T

absence

Cart : 46 : H : 3.
m : 3.
fines eod anno.

Plita 47 H 3. rot 6.

et 22. in coi banco.
See after fol :
163

Claus : 46. H : 3.
dated . 14 . April :

pat : 47. H : 3.
pars. 1.

Claus : 47. H : 3.
m : 13.

abſence had trecherouſly invaded his dominions, and committed greivous depredations, whither came prince Edward as generall.

And this Lord beinge from thence but newly return'd, the kinge ſends agayne to him the five and twentieth of May the ſame yeare, That hee bee at Worceſter the firſt of Auguſt followinge, to goe againſt the ſaid Luellin, for which Journey a great ſomons was almoſt through the Realme.

Claus : 47 : H : 3.

The fifteenth of June the ſame yeare, the kinge from London writes to this Lord Maurice, That hee had ſent divers men at Armes and foote for defence of his caſtle at Glouceſter, requiringe, that when they came to him, hee would ſee them ſafely conducted till they were entred into the ſaid Caſtle.

Claus : 48 : H : 3.

The xjth of July in the xlvijth yeare of his raigne, the kinge writes to Richard de Tavy one of his Juſtices for the peace in Eſſex in behalfe of dilectæ conſanguiniæ ſuæ Ifabellæ, vxoris dilecti et fidelis noſtri Mauricij de Berkeley, his beloved
164 kinfwoman Ifabell | wife of his beloved and faithfull Maurice de Berkeley declaringe, That whereas hee and his fellowes had lately ſeized into their hands to his uſe, the Manor of Wenden, which was of her inheritance, by reaſon of the great trouble that then was in his kingdome, That nowe by the adviſe of ſuch of his lords as were of his Counſell, hee cōmandes that the ſaid Manor ſhould bee redelivered to the ſaid Ifabell, with the profitts thereof received from the tyme of the ſeizure, for the ſuſtentation of her the ſaid Ifabell & her children thereout to bee had.

Claus : 48 : H : 3.
m : 4 et in dorſo.

And the tenth of Auguſt followinge, the kinge grants to her the ſaid Ifabell, by the name of welbeloved Neece, the Manors of Herietſam and Troteſclive in the County of Kent, leaſt for want of maintenance ſhee and her Children ſhould begge: **Which** indigence, was occaſioned by the battle of Lewis whereat the kinge himſelfe with his brother Richard the kinge of Almayne, and prince Edward, were taken priſoners, and for a tyme, captivated by Symon Mountford Earle of Leiceſter and his Complices, which (after ſſabian and ſome others) was fought the xiiijth of May in the xlvijth of Henry the third ; But after many others, and more truely, on the xijth of May in the xlvijth of that kinge, **And** by the battle of Eveſham fought the [4th] day of Auguſt followinge in the ſame xlvijth yeare of the kinge : And after Mathew Paris and ſome others, on the nones of Auguſt. 1265. in the nyne and fortieth of that kinge, whereat the ſaid Mountford Earle of Leiceſter and many other nobles were ſlayne.

And

Fabian . fol : 81.

Polichron : lib : 7
cap : 37.

Caxton Stow:

How : fo : 194.

Speed : fo : 437.

Polichron p'dic't.

Math: Paris

fo : 466 :

And the kinges warrant the xijth of Octob^r in the nyne and fortieth of his raigne, directed to his Treaforer to deliver to this lord twentye markes of his fee dewe at Michaelmas before, formerly granted vnto him, is a full assurance that this lord Maurice still contynued loyall to the kinge his wives vncl^e. **And** the generall deuastations and trobles of the kingdome nowe foe overflowed all parts of the land, That all men that held of the kinge by knight service in Capite, were in Armes for him; **All** pleas in Courts in Trinity Terme ceafed, And all faires and markets were forbidden to bee holden, **Yet** in the Somons of parliam^t of this yeare, noe writt is directed to | this lord Maurice, which might make mee thinke on the other side, that hee was held in some suspition by the kinge.

liberat. 49. H : 3.

Claus. 49 : H : 3.
in dorfo.Claus. 49 : H : 3.
in dorfo.

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The xijth of June in the fiftieth yeare of his raigne, the kinge then at Northton, sends his writ to this lord, recitinge that whereas Geffry de Lucy and his knights did render vp the Caste of Gloucester to his sonne prince Edward vpon condiçion and his sonnes promise to goe free from danger and to enioy their landes and estates without forfeiture, foe that afterwards they contynned faythfull, which they have done, **And** whereas hee had granted to him their lands in fee Simple contrary to that agreem^t, **Nowe** hee requires this lord to deliver backe their lands to them notwithstanding his said grant; which if hee neglect to doe, hee hath comanded his Sherifes of those Counties wherein the lands are, that they enter vpon them, and give them seisin agayne, as in their former estates.

Claus. 49 : H : 3.
in dorfo.

Somewhat more profitable proved an other like grant which Henry the third about the same tyme made to this lords then eldest sonn Maurice Berkeley junior, of the lands of Thomas Beaufitz in Berkeley, which hee conferring vpon his next brother Thomas, hee made good profit of by a composition with Beaufitz.

Claus : 4 : E : 1.
m : 11.

And the like guift the sayd Maurice the yonger had from the kinge of the lands of Richard de Borard, who was against the kinge, who after found meanes to have them from the said Maurice by recovery at lawe.

Plita corā Rege
Mich : 52. H : 3.
rot : 24. wils.

In the two and fiftieth of his raigne, the kinge Assigned this lord to Order the Ayde hee was to receive of those that hold of him, which if hee could not attend to doe, then to furrogate an other in his steed.

Claus : 52. H : 3.

I haue omitted more then forty suites wherein this lord or his mother were plaintifes or defendants, demaundants or Tenants, in reall and personall Actions in severall Counties, as not importinge the knowledge of this family at this daye.

Claus : 6 : E : 1.
m : 2.
Claus : 55. H : 3.
m : 1.

The five and twentieth of May in the sixth yeare of King Edward the first, the king sent his writ of privy seale to the Barons of his Exchequer, recitinge howe the kinge his father had pardoned Roger Clifford th'elder and all that were of his society in the tyme of the Kingdomes perturbations, all their offences and excesses : **And** that this Maurice de Berkeley who was of the same societye | as by the certificate of the said Roger appeared, was notwithstandinge for the same excessse (rebellion rather) fined to twenty pownds at Gloucester before Nichol fitz Marcam and his fellowe Justices Itinerant ; **Nowe** for that the kinge would not have this Lord Maurice vniustly troubled by procefs or otherwise contrary to the pardon of his said father, hee comannedeth his Barons to surcease any further prosecution, **And** this is the first and last tyme, wherein I haue in all the longe and troublefome raigne of this Henry the third, found this lord in Armes against the Kinge or any wayes favoring his rebels.

Claus : 8. E : 1.
m 5.

And two yeares after in the viijth yeare of his raigne the said kinge Edward pardoned this Lord Maurice five markes, parcell of five pounds whereat hee was amerced before Roger de Clifford and his fellowes the kings Justices for pleas of Forrests, for killinge twoe bucks in Weoly parke, which the kinge then had in right of Roger de Somery his ward : for dischargde whereof hee brought to the Barons of the Exchequer, the like writ of privy seale . Teste . 25 . Junij.

His husbandries

cartæ in Castro
de Berkeley.

Whitcliff first
made a parke.

Accomp: de Hame
in hisse temp : in
Castro de Berkeley.

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cartæ in Castro de
Berkeley.

Within his manor of Hame, this Lord Maurice had a wood called whitclive wood, adioyning wherevnto, were his Tenant's arrable and pasture grounds, and likewise of divers freeholders: This hee fancieth to reduce into a parke ; hee treateth with freeholder and tenant for buyinge or exchanginge of such of their lands lyeing neere the said wood as hee fancied : In which wood also, many others had comon, of pasture for their cattle all tymes of the yeare, (for noe woods or grounds, in effect, till the Eve of this age, were inclosed or held in severalty ;) with theis also hee treatieth for releases of their comon ; **After** some labor spent, and not prevailinge to such effect as hee aymed at ; hee remembered (as it seemeth) the Adage, multa non laudantur nisi prius peracta : many actions are not praiseworthy till they bee done: Hee therefore on a sodaine resolutely inclofeth foe much of each mans land vnto his sayd wood as hee desired ; maketh it a parke, placeth keepers, and storeth it with Deere, And called it, as | to this day it is, Whitclyve parke : **Then** seeing what was done, And this lord offeringe compositions and exchanges as before, most of them soone agreed, when there was noe remedy ; And hee soone after

after had theire grant's and releafes of land and comon as hee at first desired; vnguentum pungit, pungentem rusticus vngit: **I**t is not for a Lord too long to make curtesey to the clowted shoo: Those fewe that remayned obstinate, fell after vpon his sonne with suites, to theire small comfort and lesf gaines.

plita - 15 - E: 1.
in banco:

This Lord also in each of his Manors within this barony of Berkeley, reduced some part's of his demefnes into inclosures and fevralty: made meny exchanges, casting foe much thereof togeather, and reduceinge it neerer home to his Manor houfes, as the remnant of his age, and those tymes would permitt: which husbandry as himselfe in part received from his fathers example, which hee exceeded; foe hee tranfmitted the president to a sonne, that in all husbandries outwent both father and grandfather.

cartæ in Castro de
Berkeley.

In such grants as this Lord made of any rockes or fishings in Seaverne, whereof some were in ffee simple, some in tayle, and some for life, hee vsually referued for his rent, all the fish that should bee therein taken vpon fridays.

Cartæ in Castro de
Berkeley.

This lord was the first in whose tyme I finde the vse of marle, which in the fortieth yeare of Henry the third hee vsed for the betteringe of his grounds in the Manor of Alkington.

carta: 40. H: 3. in
castro de Berkeley.

Theis things in his estate (and many the like) thus done, hee obtayneth of King Edward the first in the viijth yeare of his raigne, a grant of free warren to him and his heires in all his demefne lands within his Manor of Berkeley and Berkeley herneffe. **W**hich in a quo warranto in the fifteenth of Edward the first brought against Thomas his sonne and heire, was pleaded and allowed in a most spetiall manner:

cart: 8: E: 1. m: 2.
dat: 12 Nouemb.
Rot: in rec: thes:
in Scōio per se
eodem anno.
plita de quo war.
Pasch: 15. E: 1.
rot. 12 Glouc:

And in his Manor of Portbury in the County of Somersfett, which later was after confirmed to Thomas the fourth, the twentieth of November in the first yeare of kinge Henry the fifth: And the same yeare a writ of quo warranto was brought against him for his hundred | of Portbury and the liberties hee claymed therein, wherto hee pleaded the grant of King Henry the second to his great grandfather Robert the sonne of Hardinge and his heires, which was found for him by Jury accordingly.

pat: 1: H: 5 pars
4: m: 11.

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Rec: in thesaur:
de quo war: in
rec: Scōij. 8. E: 1.

There runneth from Nibley (where the springe head is not farr from Simondsfall) a smalle River called Doverle to Berkeley, and so into the Haven there: Alfoe one other

divers comp: et
cartæ in Castro de
Berkeley.

other on the backside of Nuport under the Worthy Park pale; the channells and courses of theſe ryvers this Lord ſo ſported withall for half a myle from Nuport downwards towards Berkeley, and from under the place where hurdpooles, and the pale of the parke nowe are, by alteringe them into ſuch other courſes as hee pleaſed; That hee both bettered his grounds in thoſe partes, And ſoe huſbanded hurdpooles and other ponds about his caſtle, (many of whoſe images are not yet decayed) That by his fluces, (cluſas as the deeds of that tyme call them,) hee lett in and kept out both ſalt and freſh waters at his pleaſure; And thereby alſo tooke into them at certayne ſeaſons of the yeare, ſuch eeles, floukes, flounders, plaife and other fiſh, as ran vp with the ſpringe tides into thoſe rivers: By which meanes alſo, hee beautified the Eaſt, ſouth, and weſt partes of his Caſtle, with walkes and gardens; But iam ſeges eſt, vbi Troia fuit, reſecandaquè falci:

Ripe corne nowe growes, where th' walls of ſtately Troy did ſtand,
Where fiſhpools, dams, and fluces were, is now playne land.

diverſe Cartæ in
Caſtro de Berkeley.
fol: [134]

This Lord alſo imitating the ill examples of his Father and Vncle, made many free ſarme grants in moſt of his Manors, reſervinge the trewe valewe or more, that ſuch lands ſoe enfeoffed could then be rented for, which uſually was fix pence the acre; **And** oftentymes was ſo ſtrict in his bargaines, That accordinge to the exact quantity of the land ſoe enfeoffed, hee reſerved the halfe pence and farthings, ſuppoſinge hee had exceeded thoſe Anceſtors whoſe reſervations in the like grants were but ij^d or iiij^d | the acre at moſt; ſuch care poſſeſſed all of them to keepe vp their rents in a certainty of revenue; **But** his ſonne the Lord Thomas in his tyme in the ſame age, thought his huſbandry admitted noe paralell, when in imitatinge the like courſe, he drew vp his grants, to xij^d and xvij^d the acre, **Howbeit** all of them erred groſſly in the mayne ground and conſideration, as partly is before touched, and after more fully followeth, to the ſmart of their ſucceedinge generations, not yet rubbed out; wherein their error was the greater, by howe much noe want of money or other need preſſed them thereunto; but hereof more hereafter.

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See fol: [187]

Eſcuage roll: 5. E:
1. in arce london.

Rot. de ſuin
exercit: 5. E: 1.
in arce london.

Kinge Edward the firſt in the fifth yeare of his raigne prepareth to goe againſt Luwelin ſonne of Griffin prince of wales, in which expedition Humphry de Bohun Earle of Hereford and Conſtable of England, and Roger Bigod Earle of Norffolke and Marſhall of England, went generalls. The kinge by writ the xijth of Decemb^r, ſomoneth all his ſubiects that hold of him by knight ſervice, to recognize their tenures and ſervices, and accordingly to bee prepared for that martiall Journey.

Wherupon

Whereupon this lord Maurice recognizeth to owe to the kinge the service of three knights fees for his baronye of Berkeley which by the persons of himselfe, and S^r Thomas Berkeley his sonne, and S^r William Maunfell knights, was performed. And this was the xvjth Army wherein this lord Maurice had till this tyme served in person against the French, Scotts, Welsh, and the kings rebells at home, as his life hitherto hath manifested.

Baronia.

This lord Maurice out of a faythfull care to leave his estate and Barony to his sonne and his posterity free from all manner of question, gave three hundred markes in the sixth yeare of kinge Edward the first, to have a deed and a fyne from Henry de Berkeley Lord of Durfeley of grant and release of all his right in the Mannor Berkeley and Berkeley hernefs and in the Barony of Berkeley, and in the Mannor of Wotton, market and faire there, and in the Manor and advowson of Slimbridge (though I could never find cause why hee should any way seeke the same;) And this Henry was | the sonne of John of Berkeley, sonne of Henry, sonne of Roger, sonne of Robert and of Helena his wife, daughter of Robert Fitz Harding; sonne of Roger Berkeley lord of Durfeley mentioned in the fore mentioned composition made at Bristoll in the tyme of kinge Stephen touchinge this Manor and Barony of Berkeley here released.

claus : 6. E : 1 in dorso magn : chartul. fo : in Castro de Berkeley. Finis. 6 : E : 1 in banco. Carte in Castro de Berkeley.

170

See before fol : 9 4¹.

To conclude this lord was present, with the greater part of the Baronage of England, at Kenelworth in the one and fiftieth yeare of King Henry the third, at the makeing^g of that remarkeable award betweene the Kinge and his people foe famous in Chronicles.

And at the Parliam^t holden at Marleborow in wiltshire in the twoe and fiftieth of Henry the third, when the lawes comonly called the Statutes of Marlebridge were made.

And at the Parliament holden in the third yeare of King Edward the first, when the lawes, contayninge 48 chapters, called the Statutes of Westminster the first, were made; whereto a curfe to the infringers is solemnly annexed: And at the Parliament holden in the fourth of Edward the first whereat, the Statutes then enacted will declare, that good husbandry and due culture of the ground nowe seemed to take a more settled footinge then before: And Ayde made certaine for mariage of the eldest daughter, and making the eldest sonne knight, leviabie after the daughter is seaven yeares old, and the sonne fiteene yeares old.

Explained in Anno : 25. E : 3.

And

And at the Parliament holden in the sixth of Edward the first at Gloucester, at the enacting of those fifteene chapters, whereby the deficiency of the lawes in wafts, disseins, and many other mischeifes were supplied.

And at the Parliament holden in the seventh of Edward the first, at the makeinge of the famous Statute of Mortmaine, wherby hee with other great lords prevented the mischeefe which alienations of lands holden of them, to religious houffes, had cast vpon them, as the preamble declares. |

171

His Wife

About the parentage of the Lady Ifabell wife to this lo : Maurice, a longe question (or rather a twofold error) hath bene amongst the genealogists of this family.

Newl : pedeg :

1. **Abbot** Newland in his Pedegree, often before mentioned, written in the fifth yeare of Kinge Henry the Seaventh, And three others, gathered in the tymes of King Henry the sixth and of King Edward the fourth in the Castle of Berkeley :

Carew fo : 79.

Stow : fo : 296
et 313.

Mr. **Carewe** in his description of Cornwall; **Stow** in his larger chronicle, and divers other, with the Current of old Heralds bookes, make her the daughter of Edmond Earl of Cornwall, sonne of Richard kinge of Alemaine and Jherusalem, yonger brother of King Henry the third, sonnes of King John : **And** some of them make her the base daughter of the said Edmund : **But** the ancient manuscript of Hales Abby in the County of Glocester whereof the sayd Richard was founder, plainly sheweth the birth of this Edmond to bee in the five and thirtieth yeare of Henry the third, Anno 1250; longe before which tyme this Ifabell was maryed and had children by this lord, And soe not possible to bee his daughter lawfull, nor base; **And** further the office found after the faide Edmonds death in the xxviijth of Edward the first, sheweth that hee dyed the first of Octob^r that yeare without issue; And that that kinge was his heire, and Ellenor daughter of Gilbert de Clare Earle of Gloucester his wife, who surviued him.

Hales manufer :
cū Robto Cotton.
fol : 42.Escaet : 28 : E : 1.
in arce londini.

Hollingh : fo : 309.

Rot. claus : 48.

H : 3. m : 4.
codē in dorso in
Com Effex.

2. **Others** will have her to bee the base daughter, not of the said Edmund, but of the sayd Richard Kinge of Alemaine, Edmonds father, and soe Neece to Kinge Henry the third, elder brother of the sayd Richard; And insist upon the Authority of the manuscript rithmicall Chronicle of Robert de Glouc : who in the tyme of H : 6. wrote thus.

S^r Richard

S^r Richard le fitz'roy, of whom wee spoke before,
 Gent'leman he was enough, though he was laft I bore,
 For the Earles daughter of warren his good moder was,
 And his Fader king John, that begat a purcas,
 S^r Maurice of Berkeley wedded fuch by cas,
 His daughter, and begat on her the good K^t S^r Thomas. |

Robt de Glouc :
 manufcr : cum
 Robto Cotton :

But this may not pafs for truth: for all histories agree, That this Richard was borne in the yeare 1210. the xijth yeare of Kinge John; **And** proofs and records are playne, That this Ifabell was maryed and had iffue by this Lord Maurice her hufband in the yeare 1240. the xxvth of Henry the third: which fpace of thirty yeares, all men will hold too fhort a tyme for Richard, (a kings fonne,) to bee fo mangrowne as in fiteene yeares to have a bafe daughter borne, 'And fhee in fiftene more to bee lawfully maryed and have iffue: **Neither** was the faide Earles daughter of warren mother of the fayd Richard, as Robert our Poet rymeth, But Ifabell, Aymer's daughter and heire as nowe followeth; **But certainly** fhee was daughter of Maurice de Credonia ats Croun in the County of Lincolne, and of the Lady Ifabell his wife, fifter of wilfm de Valence Earle of Penbroke; which Ifabel and Earle Wilfm, were the children of Hugh de Brun Earle of March and Lord of Lufignian and Valence in Poitien in France, and of the lady Ifabell his wife daughter and heire of Aymer Earle of Angolifme, grandchilde of Lewis the grofs Kinge of France and widowe of Kinge John; father by her of this King Henry the third: And foe was this Ifabell wife of this Lord Maurice, Neece to the fayd kinge Henry, as being daughter to the fayd Ifabell his halfe fifter; As in his grants to her of lands in Effex appeareth, wherein hee ffileth her, in one, by the name of dilecta confanguinea noftra, his welbeloved kinfwoeman, And in the fecond dilecta neptis noftra, his welbeloved neece.

172
 Chron. de Hales
 predict. fol. 40.

Speed fo : 507.
 Brook Herald, et
 oēs alij.

claus : 48. H : 3.
 m. 4 et in dorfo
 eiufd :

dated . 12 . Julij.
 dated . 10 . Augufti.

And herein agree with mee S^r Robertt Cotton, M^r Campden Clarencieux, and learned Auguftine Vincent Rouge croffe, (quos honoris caufa nomino) whose freindly helps I had, thus iuftly to vindicate this noble race, and to free it from the ftaine of a matche in bafardye, and to rectifye this old and wide fspread error.

This is that lady Ifabell, the fupposed donee of Atfeild & Saintloe, of the Manors of Wotton, Simondfall, Came, Hinton, and Cowley, whereupon was founded Queene Maryes and Queene Elizabeths titles to thofe five manors; that intricate and perplexed title, toffed beeteene the heire male, and the heire generall of the
 u
 iffues

173 issues of this Maurice | and Isabell, contynuinge . 192 yeares from the fifth yeare of Henry the fifth when it began, till the Seaventh of King James that now is, when it ended; as after in the lyves of James the first, and of Henry Lord Berkeley followeth at large.

claus. in dorfo
48. H : 3. Effex.
Plita pafch : 47
H: 3. rot: 6 ct: 22.
fol : [463]

See fol : [163]

Vetus manuſcr: in
caſtro de Berkeley.

Pat: 34. E: 1. m: 14.
Rot: Vaſcoñ. 13.
14 E: 2. m: 12.
Rot: Romæ. 11 E:
2. m: 12.

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Vetus pedeg:
E: 4. in caſtro
de Berkeley.

In part of mariage portion, this lady Isabell brought with her the inheritance of the Manor of Great Wenden in Effex, which contynued in theire male iſſue till Thomas lord Berkeley the fourth of that name in the fifth of King Henry the fourth alayened it, as in his life appeareth; To which Manor, this lord in the fix and fortieth of Henry the third, added a market and fayre by grant of that kinge, for ſettinge vp whereof the ſayd Richard Kinge of Almaine and Jheruſalem in the next yeare brought his action againſt this Lord, as being to the detriment of his market and fayre of Newport, as amongſt the lawe ſuits of this lord appeareth; An argument that this lord was not that Kings ſonne in lawe nor this lady Isabell his daughter, nor their children (then mangrowne) his grandchildren; All whoſe ſervices & obedience hee would not have ſhoken off, for a matter of ſoe triviall a conſequence. Also the Deed whereby this Lord Maurice eſtated this lady Isabell for her life in the ſayd five Manors at the tyme of his mariage hath theis words in the cloſe thereof, Hæc omnia feci in preſentia domini mei, domini Henrici regis Angliæ eius aſſenſu et voluntate; y have . y made thes dede in preſence of my lord Harry Kinge of Ingeland, with the aſſent of him and his will, as I find the ſame in an old writeinge of the ſixth of Henry the fifth, which herein I followe: Also kinge Edward the firſt and his ſonne Kinge Edward the ſecond, in divers letters written to Thomas Lord Berkeley ſonne of this Maurice and Isabell, and to the lord Maurice his eldeſt ſonne, greets them both in patents and pardons, by the name of his welbeloved cozens; And in two letters to the Pope, calls James this lords grandchilde, his welbeloved Cozen, as after appeares; And in his ſecond tre preſſeth his requeſt the more, becauſe the ſayd James is his Cozen, Which title of kindred in noe likelyhood, theis kings would have extended to the third generation, had theire bloud and alliance bene deduced from all illegetimation, eſpetially themſelves being but in a collatterall degree of alliance to the vncles baſtard daughter; | Arguments to mee out of manifold conſiderations, That ſhee was Henry the thirds Neece by legitimate birth, and not ex multiplici progenie natam, as baſely ſome have affirmed her to bee.

And for a finall ſatiſfaction, I referr this family to theis Records not formerly vouched nor margined: patent: 35. H: 3. m. 6. / liberañ: 36. H: 3. bis in rotulo. / pat: 36

pat : 36. H : 3. pars. 2. m : 5. / liberał. 41. H : 3. m : 12. et vltima. Claus : 45. H : 3. m : 22. / pat. 21. E : 1. m : 15.

This lady Ifabell dyed the feaventh of July about the fourth or fifth of Kinge Edward the first, a fewe yeares before her husband, and lyeth buried in the Monastry Church of S^t Auguſtines by Briſtoll ; Betweene whom and this lord, was iſſue Maurice called Maurice de Berkeley iunior, who beinge growne remarkeable for his age and valor, was after in the life of his father ſlayne at Juſts at Killingworth Caſtle in warwickſhire, before iſſue or mariage ; Thomas who ſucceeded his father in his barony, Robert, Simon, and Mawde, as followeth.

His Iſſue

Abbot Newland (often before mentioned) telleth this family, That Maurice Berkeley, after ſlayne at the Juſts at Kenellworth, ſucceeded this lord Maurice his father ; And that by his dyeing without iſſue, his inheritance diſcended to Thomas his ſecond brother, who ſucceeded him ; A double error, vn pardonable in the Abbot ; the truth of which ſtory is thus, not vnworthy the relatinge.

Newl : pedeg :
Pat : 49 : H : 3.
Claus : 4. E : 1.
m : 11.

Newl : pedigree in
Caſtro de Berkeley :
Anno 5. H. 7.

In the feaventh of King Edward the first. Anno 1279. dominus Rogerus de Mortuo mari vir nobilis et in armis strenuus de londonijs removit cum centum militibus prudentèr armatis, et totidem dominabus coram eis cantica lætitiæ canentibus vſque Kenellworth et ibim per tres dies continuos tenuit haſtiludià ſua in armis : Hic luſus rotunda vocabatur, eo quod locus in quo ludebant milites, fortiſſima clauſura per girum vallatus fuit. **The** lord Roger de Mortimer, a noble and valiant man in Armes departed from london to kenellworth with an hundred knights well Armed, and with as many ladyes goeing | before them ſinginge ſongs of mirth and ioyfullnes ; where for three wholl dayes they held ſpearplayes, Juſts, and turniaments, in their Arms ; This exerciſe was called round play, becauſe the place wherein the Knights thus ſported was compaſſed round about with a moſt ſtronge incloſure of timber, **And** as Campden and others have, It was vſed in ſuch an outrageous manner, and with ſuch ſlaughter of noble gentlemē and others, That theiſ Turniaments were by diuers decrees of y^e Church forbidden, vpon payne that whoſoever therein were ſlayne, ſhould want Chriſtian buriall in Church or Church yard : And though alſo forbidden by ſeverall lawes and proclamations, yet grewe not out of vſe till the latter dayes of Kinge Edward the third, as after is related in diuers of theiſ lords lives.

chron : monaſterij
de Hales manuſcr :
cū Robto Cotton
Baronetto.

175

Campden Britan :
in Com : Hertf :
fo : 407 Engliſh.
Math : Paris de
anno 1248.
Muſter coſm : fo.
Hollingh : fo : 221
See the red book
in the Excheq. for
theiſ turnaem^{ts},
towards the end :

Camden britt :
Engliſh. fo : 407.

In this place and at this tyme it was, That Maurice de Berkeley called Maurice the yonger, eldeſt ſonne of this lord, then in the beſt of his age, in theiſ

Turneaments

Turneaments and Juftings, loft his life; As wee read in the like exercices, Gilbert Marifchall Earle of Penbrooke, S^r John Mortimer fecond fonne of Edmond the fixth lord of wigmore, and divers others of fpetiall note to have done.

After the death of which Maurice, this lord his father lived twoe yeares, And vpon his death, Thomas (whose life as lord next followeth) was by divers Inquifitions in feverall Countyes found to bee his heire, then about thirty five yeares of age; whereby may be geffed the age of the fayd Maurice his elder brother when hee was flayne at Kenellworth as aforefayd, havinge borne Armes in the feild againft the kings enemies many yeares before, as formerly is touched.

Claus : 30. E : 1.
dorfo.

Gloffar : Spilmā
fol : 103.

And foe accompanied with particular mifcheifes to many private families, beides the generall inconvenience to the publike ftate, were theis Turneaments and Jufts, that in the thirtieth of King Edward the firft, cam forth a proclamation forbiddinge, vel turneare, bordiare, iuftas facere, vel aventuras quærere, per totam Angliam; or Eyther to concurre with fwords, fight at barriers, exercife haftyludes, or feeke adventures, any where in England.

1. **T**homas therefore was eldeft fonne to this lord at the tyme of his death, whose life is next related. |

176
fine in the Abby
of weftm^r: 3. E : 1.

Rot : fin : 6. E : 3.
m : 16.

Original : in Scēio
6 : E : 3. rot : 34.
finis in Banco 17.
E : 1. Som^rfet.

Rot. fin : predict.

2. **R**obert Berkeley knight and fecond fonne to this lord Maurice at his death, had his abode at Erlingham, To whom and to Simon his yonger brother and to their heires Joyntly, this lord Maurice theire father, did in the third yeare of King Edward the firft by fine give the Manor of Erlingham, a member of his Manor of Berkeley; To hold of him and his heires by one penny rent for all fervices and demaundes: for which alienation, threefcore and five yeares after in the fixth of Kinge Edward the third, were the coheires of this S^r Robert, driven to fue a pardon and pay twoe markes fyne to the kinge, fith the fame (as the record fayth) was holden in capite: Symon dyed without iffue, whereby the wholl manor furvived to this S^r Robert, who by Jone his firft wife had iffue John Berkeley, Thomas, Robertt and Ifabell: John Berkeley dyed in thee fowerteenth of Edward the fecond leaving iffue fower daughters, Elizabeth, Felicia, Lettice, and Margaret, fometyes written Margery: The three eldeft after two difcents dyed without iffue; And Margaret the yongeft daughter of the fayd John, was maryed to John Yate, whoe had iffue betweene them, John Yate, father of William, father of John, and Richard; John dyed without iffue, And Richard had iffue Walter father of Richard;

Richard; father of Thomas Yate, that yet liveth, 1628. of greate age, who was threescore and five yeares agone, attendinge Henry Lord Berkeley in his chamber; and Giles Yate, sometyme also a servant to the sayd Lord: from which Thomas and Giles are discended many fonnes and daughters, whoe likewise have plentifull posterities; **This** S^r Robertt the second, sonne of this lord Maurice, had also the grounds and woods called Inwoods in Came, Beoly farme, and other lands in Clehungre; And also in the Seaventh of Edward the second, purchafed to him and his heires of Margaret de Valers a rent of forty shillings, wherewith shee charged her lands in Vley and Came, which after her death came into the family of the Bassetts of Vley, by whome | the said rent is paid to this day Anno : 1628 For non payment whereof distres was taken and an Avowry made, wherein the pedigree of this S^r Robert for the five next descents is layde down as followeth, which S^r Robert dyed about the nynth yeare of the sayd kinge Edward the second.

Escha. 15. E. 2.

carta cū wīlmo
Try de Hardwick.

177

Eschaet : 15. E. 2.

Thomas Berkeley second sonne of this S^r Robert, was called Thomas of Beoly; And did partake in rebellion in the fifteenth of Edward the second with Maurice then lord Berkeley; And by Maud his wife had issue John and Margaret; John dyed in the twentieth of Edward the third without issue, then in ward to Thomas lord Berkeley; And Margaret was maryed to Raphe Trye who had issue betweene them John Trye father of William Trye, who died in the life of his father, leaving issue John father of William Trye, whoe marryed Isabell daughter of James lord Berkeley, The fruites of which mariage see in the end of the life of the said lord James.

fol : [550]

Robert the third sonne of the said S^r Robert, by Elizabeth his wife had issue Thomas who dyed without issue

Finis in banco Hill:
17. E. 1. Somerset.

Isabell their sister was maryed to Richard Estmead, who had issue; But that issue dyed without issue.

3. **Simon** the third sonne of this lord Maurice and lady Isabell, was never married.

4. **Maud** daughter of the sayd lord Maurice and lady Isabell lyved longe, and purchafed land in Nibley to her and hir heires, (which sometyme were the lady Julian's, wife to the second Robert lord Berkeley,) and dyed without issue.

His Seales of Armes

The Seales which this lord Maurice vsed to his Deeds, both in yellowe and greene wax, were of two fortes; Sometymes he sealed with the chevron without the

the croffes, circumscribed, S. Mauricij de Berkelei; sometymes with the George on horfbacke, circumscribed as aforefayd, Both of them about an inch and quarter brode, | **And** none of theis feales had any reverfes, fupporters, or Crefts: Behold the figures.



His Death and Place of Buriall

Magn: chartul.
fol: 123.
Eschaet. in turre
9: E: 1.

Plita et Jurata
15. E: 1. rot: 31.

Dies mortis, æternæ vitæ natalis est; which death and birth day hapneth to this lord on S^t Ambrose day the fourth of Aprill, Anno. 1281. in the nyenth yeare of Kinge Edward the first, then aged sixty three, being his great clymaftericall yeare, of which he sate lord thirty seaven yeares and five Months; And was buried in the North Ile of the Church of the Monastery of S^t Augustines next to the Altar of S^t Maurice, leavinge the performance of his will to Wiltm parson of Slimbridge church, Bartholomew of Oulpen, and the Pryor of Stanley, whom hee made his Executors, who vnderwent some suites and troubles about the execution thereof.

His Lands whereof hee dyed seized

His Offices found in the same Month of his death, declare, That, with his honor and Barony, hee left to Thomas his eldest sonne the Manors of Berkeley; (wherevnder those two of Hame and Appleridge are comprehended, which later hee much enlarged by a purchase made of Wiltm Ruffs in the ffortieth yeare of King Henry the third;) and of Wotton, Came, Cowley, Hurst, Hineton, Alkington, and Slimbridge valewed at 279^{li} 9^s 3^d in the County of Glocester.

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And the Mannor of Portbury (named the moytie,) and the fforren | hundred of Portbury; And the manor of Bedminster with the hundreds of Bedminster and Harteclyve; And Radeclывestreet' without Bristoll in the County of Somersfett.

And the Manor of Wenden in the County of Effex.

And Bixe, Stokenchurch and Kilefham in the County of Oxoñ.

And the Manor of Faldingworth in the County of Lincolñ.

And

And divers lands and Tenements in the County of Wilts.

And the Manor of Westcote in the County of

And divers lands in Purton, Aſton, Teveleford, and Chartelege,

And the ſame Month of his Offices in Eaſter Terme in the ſaid ninth yeare, the ſaid Lord Thomas doth his homage, and finiſheth his livery as the kings writt, Teſte xvij^o Aprill in the ny nth of Edward the firſt, doth certifie: which was in the ſpace of fowerteene dayes after his fathers death: Howbeit his Reeleeſe is not payde till the dayes of his Grandchilde, in the fourth of King Edward the third, as then appeareth.

Rot: fin: 9. E: 1.
m: 14.
Original: 9: E: 1.
in Scđio.
Paſch: rec: in
Scđio 4: E: 3.
rot: 7. et 8.
See fol: [334]

The Application and uſe of his Life

1. Of this, lord Maurice it may bee ſaid, quod diu fuit, fed parum vixit, hee lived longe, but had a Short life, enioyed onely in quiet the laſt ſeven yeares of his life: his conſtitution was active and of a working quallitye; noething reſembling the prudent moderation of his father: If not in action againſt his Kinge, or the Kings enemies, in ſuites with his peers, neighbors and Tenant's: I propoſe him an huſbandly Example in reducinge his ſcattered quillet's of ground together into entire encloſures: And for the profit that thereby aroſe to himſelfe, and ſince to his poſterity, And that hee was a Lord that would make way for his will, which was often the rule whereby he walked; breake hee might, bend hee would not.

The vſe.

2. Againe from divers paſſages in this lords life, This error of his may bee of uſe to his poſterity: That ſuch greate lords as call all | the carefull endeavors of their Officers and Servants onely duty and det, And are more apt to puniſh and diſgrace, then to countenance or reward, ſhall find themſelues vpon change of Fortune, (from which he liveth not' that is exempted,) not onely freindleſſe but even contemptible and deſpised, which for a while this lord proved true.

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3. Againe the troubleſome part of this lords life commends over this truth to his poſterity, That to give any violent adviſe in doubtfull enterpriſes, is rather a testimony of love then of wiſdome in the giver: for the ill ſucceſſe is allwayes caſt vpon the Counſell: And good ſucceſſe never wants many fathers to acknowledg it, though falſe ones: This was at one tyme the caſe of this lord.

181 }
182 } blank

Finis Hatoricii ſecundi.

The Life of Thomas the Second

183

The life of Thomas Lord Berkeley the second of that name, stiled in writeings, Dominus Thomas de Berkelee; And, Thomas de Berkelee dñs de Berkelee; And, Thomas de Berkelee filius Mauricij de Berkele; And, Dominus Thomas de Berkelee dñs de Berkelee; And, dñs Thomas de Berkeleye dñs de Portbury; And, Thomas de Berkele dñs de wenden.

diversæ cartæ in
Castro de Berkeley.

And may be called Thomas the wife.

Contemporary with kinge Edward the first, and part of kinge Edward the second, from . 1281 . to 1321.

Whose life I doe present to his posterity vnder theis seaven-tene titles . viz^t

- 1.—His birth and age of adolofency fol : 184.
- 2.—His Hufbandries : fol : 184.
- 3.—The vsuall price of Corne, Cattle, pultry &c., in the tymes of King Edward the first, Edward the second, Edward the third, and of Richard the second, compared with the present tyme fol : 192.
- 4.—His hospitality fol : 196.
- 5.—His forren imployments in warrs and embaffes . fol : 201.
- 6.—His recreations and delights fol : 222.
- 7.—His purchafes of lands fol : 223.
- 8.—His fuites in lawe fol : 226.
- 9.—His Almes and devotions fol : 238.
- 10.—His miscellaines or various passages not reducible vnder any of the former titles . fol : 241.
- 11.—His wife fol : 243.
- 12.—His issue fol : 245.
- 13.—Berkeley of wimondham fol : 246.
- 14.—His Seales of Armes . fol : 259.
- 15.—His death and place of buriall fol : 260.
- 16.—His lands whereof he dyed seized . fol : 261.
- 17.—The Application and vse of his life . fol : 262.

184

I am nowe come to another Solomon of his tyme; **A** man of men; **A** man for all houres, and for all affaires; **The** seaventh in succeſſion, **What** influence ruleth in that ſeptenary number, I argue not; But ſure I am, this lord was a man at home and abroad, in peace and in warre, in the Forraigne Embaſſees of his Prince, and in his Country Goverments, of an vniverſall vnderſtanding, **And** for his private husbandries, and houſkeepings he admitted fewe compeers: **To** that active age wherein hee lived, not onely an Ornament, but to his poſterity alſo: **A** wife, devout, and honeſt lord, much to bee preferred before the beſt of his former ſix forefathers. **In** whome I admire the providence of the all diſpoſeinge God, by removeinge the elder brother (otherwiſe addicte) but in the Eve before his fathers death, thereby to graſt into this familie this noble branch, the ſeaventh bearinge of their regall ſtemme, unparralled, and to bee a preſident to all his poſteritye.

His birth and age of adoleſcence

Eschaet. 9. E: 1.
poſt mort. Mauricij
de Berkeley.
diverſi compi
miniſtroꝝ temp:
E: 1 in Caſtro de
Berkeley.

Inq: 9. E: 1. poſt
mort: Mauricij,
in Arce london.
in Coſm Glouc:
et Somerſett.

The birth of this lord was at Berkeley in Anno. 1245 in the Nyne and twentieth yeare of Kinge Henry the third, ſhortly after his Grandfathers death, where part of his pupillage was ſpent. **His** next dayes at Bedminſter by Briſtoll, which Manor his Father for ſupport of his youthes expenſes, and for his firſt initiations in husbandry conferred vpon him; In which courſe, and vntill the tyme of his mariage, hee contynned: **Hauing** the Abbot and Prior of S^t Auguſtines Monaſtery by Briſtoll, and the Maſter of S^t Katherines hoſpitall, (conſyning vpon this Manor of Bedminſter) creatures begot by his Anceſtors Almes and deuotions, his guides and inſtructors: **The** reſt of his life aſmuch as his forraigne employments ſpared vnto him was ſpent at Berkeley Caſtle and at his other houſes, as after followeth, beinge in the beſt of his age, when by the death of his Father his Barony diſcended vpon him.

His Husbandries

185

Comp: miniſtror:
temp: E: 1. E: 2.
in Caſtro de Berk.
in diuers. maner.

The Accompts of the Reeves and Baylyes of this lord Thomas, yearly ingroſſed | in parchment, whereof more than 200 remayne in Berkeley Caſtle, declare, that this lord kept in his hands, the Scites and demefnes of his Manors of Hame, Alkington, Hineton, Hurſt, Slimbridge, Came, Cowley, Wotton, Simondſfall, and others

others in the County of Gloucester; And the Manors of Portbury, Bedminster, and others in the County of Somersett; And the Manors of wenden magna, and wenden parva, in the County of Essex; and some others. **I**n which Accompts from the death of his father to the death of himselfe (the space of forty yeares) is perspicuously set forth in what sorte hee husbanded each of them, what sorts of Cattle hee kept vpon them, As horses both for draught and stall, mares for breed and labour, bullockes, steers, kine, heifers, and calves, sheepe for the Butcher, store and breede; Swine of all sorts, as boares, fowes, hoggs, porkets, shootes and piggs, Geese for breede and for the Larder, Capons, Hens, Cockerells, pullets, and chickens, Ducks and Mallards, peacocks, pigeons, goats male and female, kids and Bees.

Also what kinds of graine hee yearly sowed accordinge to the quality and condition of the ground, as wheat, barley, pease, Oates, Rye, Fetches, And had also Drage,¹ pilcorne,² mixtilon,³ brotcorne⁴ &c. words I professe, not well to vnderstand; And also howe theise kinds of graine each second or third yeare were exchanged, or brought from one Manor to an other, As the Vale Corne into an vpland Soyle, and contrarily the Vpland and Cotfall corne sowne in the Vale and lowe grounds; the very exact husbandry of theis dayes in those places, as is nowe practised by the most prudent and generous plow men: **A**nd how hee set with hand, (not sowed) his beanes; And in the barn leazed in the eare, and by the corne, part of his wheat for feed, as the most accurate and curious good husbandmen accustom to doe at this day Anno 1622.

Also in theis Accompts (excellent Schoolmasters for theis our tymes, and wher-vnder, I profess to have profited) is declared, howe this lord for his better profit exchanged, removed, and flitted, part | of his Cattle of most of the foresaid kinds 186
at

¹ Mixed Corn, generally barley and Oats, now called "dredge-corn" in Devon and Cornwall. Bp. Kennett, in his Glossarial Collections (Lands. MS. 1033) mentions "dredge Mault," malt made of Oats mixed with barley Malt. See Promp. Parv. v *Dragge*.

² Peeled Corn—Stripped corn—*i.e.* husks removed from it. "Pailli"—chaff, from the latin "palea." See, "Pillcorne from the Mill" fide folio, 193.

³ Mixed or dredge Corn of wheat and rye—"Mestlyene"—Mestlin-bread made of equal parts of wheat and rye was, according to Forby, formerly considered as a delicacy, the household loaf being composed of rye alone.

⁴ Brotcorne is mentioned in Rogers' "Hist. of Agric. and Prices" I. 222, but he is unable to explain what it is, so at present are we.—ED.

at certaine seafons of the yeare from one manor to another accordinge to the diverfity and condition of the foile and deepnes of the feedinge ; And as the fame grounds were dryer or wetter, warmer or Colder, quicker or slower in their springings or other Conditions of the place : **Howe** the eldest of the sheep were drawne out as Cullions to bee fatted for mutton for Butchers and provifion of his houle : **Howe** the rams at fittinge Seafons of the yeare were fevered from the Ewes and weather sheep, And howe when in OOctober, the Rams were brought backe to the Ewes, they were not admitted all at one tyme together, but fome referved for fowerteene or fixteene dayes after, vntill the former gamsters had wafte their ftrength by which meanes of theis fresh new Comers, fcarce an Ewe went barren. **And** the dorfe of thefe Accompts obferve an annuall vniformitye in expreffinge what Cattle, Corne, and foule of all kindes, tooles, implements, and materialls of houle and husbandry, remayned at the end of the former yeares in each farne houle and grange **What** was fpent there, or fold, or given to poore, or to orders of religion, And what was delivered to his owne standinge houle : And howe many of each kind were reaped, Inned, hatched, or bred : how many of eche kind fold for mony, Howe many dead of all difeafes ; And how many of each kind and fort remayned at the yeares end.

Neither doe theis Accompts fcorne to difcend foe lowe, as to declare, what money was yearly made by fale of the locks, belts, and tags of the Sheep, (as well as of the fleeces) of the hearbes of the garden, stubble from off the Corne lands, crops and fetts of withy'es, of Ofier rods, the Offall wood of old hedges, of butter, cheefe, and milke, dunge and Soile, of bran, nuts, wax, Hony and the like.

And declare alfo, what flockes or fruit trees were yearly grafted or planted, And what apples and peares were yearly gathered, And what Cyder and perry was yearly made ; wherein fuch was the plenty by the husbandry vfed, That from the two Orchards of Slimbridg and Hurft Farmes, were vfually gathered, fowerfcore quarters of Apples and Peares in a yeare, where nowe fcarce two trees remayne. |

187 **Also**, what hindes and husband fervants, and vnder what wages, and wth what Allowances, his husbandries there tooke up and vfed : **And** what dayes workes and other helps hee yearly drewe from his copihold Tenants of each yard land, halfe yard land, and quarter of a yard land called a farrundell : This prudent Lord knoweing in certainty, what and how many workes each Tenant was to doe, each yeare Month or weeke, according to the Seafon of the tyme and Condition of the labor.

Notwithstandinge

Notwithstandinge which excellencies of Hufbandries, this vnpareld lord built too high vpon the erronious foundation of his fathers and Grandfathers examples, (Ayminge at the Constant vpholdinge of his present rents and revenue, which hee supposed would never increafe): **A**nd that hee was withall in his later dayes (out of great providence as he supposed,) soe fearefull of the fall and decreafe thereof, That in the last twenty yeares wherein hee fate Lord, betweene the thirtieth yeare of Edward the first and the fiftieth yeare of Edward the second, hee made neer eight hundred guifts in tayle (savage the revercon to himfelfe and his heires) of divers parcells of his lands in all his Manors in Gloucestershire, at the hiest values and rents such lands would then bee scrued unto; which Courfe leaning too much as I said to the ill presidents of his three last forefathers) hee then, out of the experience of his old age, held to bee great prudence and discretion soe to fasten them, (the troubled estate of the kingdome soe standinge, wherein rents decayed rather then any wayes increafed,) **A**nd withall the statute de donis conditionalibus not longe before made, (wherein hee had his voyce) did (as hee then conceived) assure him, That such donees in tayle dyinge without issue, the land soe given, should revert to him or his heires: And that the heires of such Donees being within Age, should bee in warde to him; for that by such grants they were to hold of him, as he held over, which was by knight service; And soe the profit of the land to become his owne agayne, And the value of the marriage also to boote, And in the meane tyme the rent to contynue certaine to him without fall or decreafe; That as it seemeth hee wanted | but chapmen in such forte to have granted all the Copihold lands of his wholl barony, and of his other Manors in other Countyes: **f**or (somewhat to excuse him) as yet, nor till the tyme of his great grandchilde, was practized the device of Comon Recoveries, to cut of Entayles, remainders, or reversiones; vnder pretence of rendringe a recompence in valewe, which (in truth) at first seemed to bee but a witty trick to buy and sell land, and to defeat the will of the donor, And (vpon the matter) to disinherite the heire of the revercon, service, and escheate, contrary to the meaninge and expresse words of the said Statute, that comaunded, That the will of the Donor, expresse in his grant, should bee thenceforth observed in all thinges; though nowe such recoueries are become the Comon assurances of lands; whereof more afterwards in this lords life is to bee said: **N**either had the Statute of Fines, (made in the fourth yeare of Henry the Seaventh, longe after the former invention,) bound all parties and privies to such alienations; And therefore the errors of this prudent Lord are the more excusable; for hee sawe this Statute of donis conditionalibus made and vniverfally applauded of all great lords, And had himfelfe an vnderstandinge voyce in the makeing thereof, as after followeth:

And

See fol: [134]

188

Cooks 10, reports in Mary Portingtons case.

See aft: fol: [241]

Cooke. pref: to his third and fourth reports:

Cooke institut. lib:
1. cap: 2. fol: 19.

And could not prophecy of the defeat that after would befall it, or of the mischeife it would throwe vpon after ages; for through this lawe, (as learned Coke hath) purchasurs could not be fure of their purchases, farmers of their leases, Creditors of their debts, the kinge and lordes of their escheates, forfeitures, wardshippes, and other profitts of their Seignories; And many have bene (faith hee, and truly) the contentions and mischeifes which have crept into the quiet of the lawe, by the fettered inheritances brought in by this Statute of donis conditionalibus, as experience hath long poynted out vnto vs; And therefore it was of necessity to finde out a remedy for those mischeifes, whereof more hereafter.

But to proceede, for the better encouragement of such Donees and others to take of him such estates in tayle, And the better thereby to increase the rent of the land soe given, hee vsually granted license therewith to take marle out of his Manors
 189 of Alkington, Hame, Cowly &c. where | Marle pitts were, and earth out of the greene high wayes for amendment of such land; **A**nd also gave such donees liberty to inclose and keepe such their lands in fealty at all tymes, **v**pon which grants hee vsually reserved . xvij^d the Acre or more, betteringe the valewes of his Father and Grandfather, yet were the tymes as troublesome and fluctuatinge as before; **H**ee also fell vpon his Chace of Michaellwood, which had yealded to his Ancestors or himselfe litle or noe rent or profit, more then thornes and timber, and improved out of the outkirks or sides thereof round about the same, some hundreds of Acres; **A**nd in his like grants thereof, for better encouragement to takers, hee granted also therewth Comon of pasture throughout his sayde Chace for all their Cattle (except goates) and Comon for their swine in pawninge tyme, which before they enjoyed not; **A**nd as to goates, hee had a heard there of his owne, kept by his Officer, called a Goatheard: vpon which grants for each Acre of his Chace thus assarted, hee reserved xvij^d rent or thereabouts: **A**nd for the better leavyinge of their rents, which hee deemed soe profitably rayfed, reserved power by his Deeds to distrayne not onely vpon the same land soe given in tayle, but in any other of the Donees lands or their heires, which the Donee then had, or which hee or his heires should afterwards have in the hundred of Berkeley: **A**nd soe much did this prudent lord affect this kind of husbandry of grants in Tayle, That hee bought out for his money
 fol: [387] as many of his forefathers Feoffees, and Donees, (yea and many of those whome his owne first yeares had enfeofed out of their freehold lands within his Manors) as any wayes he could; which (out of like resemblance of State husbandry) they had of old enfeofed at the rent of one penny and of ij^d iiij^d and vj^d the Acre; And after such his purchases soe made, as fast as hee could find Chapmen, hee agayne granted them

them in taylor manner aforefayd, referving the like rent of xvij^d the Acre or thereabouts, with liberty of digginge of Marle and taking of earth out of the wayes and greene wafts in fuch Manors, for amendm^t of fuch their lands; Soe that the wayes for Carts or paffages were not vitiated thereby; Referving power alfo to himfelfe and his heires, to diftrayne for that rent throughout the hundred of Berkeley in all the lands of the fayd Donees or their heires, habita vel habenda, which they then had or after fhould have, as formerly is expreffed. |

Amongst other grants of this kind made by this Lord Thomas, one was (by deed without date, but about the thirtieth of Edward the firft) to Richard de Camera and the heires of his body, of a meffuage and divers lands in Nibley, part whereof were then affarted out of Michaellwood, vnder the yearly rent' of xxvj^s viij^d, beinge the true and vntmoft valewe at that tyme: which meffuage and lands, about fifty yeares then after, came into the family of the Baffetts of Vley, And by reafon of their antient and long poffeffion, were and yet are called Baffetts Court, And were in Anno quarto Jacobi, aliyened by the laft Withm Baffett to Withm Gibbs and his heires now dwellinge vpon part of the fame: which meffuage and lands by reafon of my habitation in the fame Townefhipp I knowe to bee one hundred tymes at leaft better then the faid rent, ftill payd by him; one part of which deed hee hath, and the other is in Berkeley Caftle: By which Orifice may bee difcerned, the depth of the wound which this lord ftroke into the inheritance of his pofterity, the Cicatrice and Skarr whereof, by miftakeinge of a principle, will not in an other age bee rubbed out or clofed: **Whofe** affection to this kind of husbandry was foe great, That if in the three next generatiōs fave one, moft of theis lands had not bene repurchafed, three fourth parts of all the nowe lord George his Copyholders, and termors by Indenture, had bene freeholds of inheritance at this day: Noe better then grofs foolifhnes, is often the refinedft prudence of the wifeft of this world: **His** thirftines after which kind of certainty of rent, may alfo bee gathered, by neere the number of fower hundred litle deeds yet remayninge in Berkeley Caftle, whereby this lord and his father purchafed fmall rents fervice, rents charge, and rents fecke of inheritance, of foe fmall valewes, as feldome above five fhillings per Anⁿ; And often of one penny and two pence, which they knewe could not leffen or decaye.

190

Magn : chartul.
in Caftro de
Berkeley.

Carta in Caftro
de Berkeley.

complurimæ cart.
in Caftro de Berk.

The maine fcope of this Lords Actions in all his grants, was to hold vp his rent at that height it was then fcrued vnto, which hee thought after tymes would rather give way to diminifh then increafe: not duely confideringe (by a right levill)

That

191 That as tyme and peace gave him the meanes to improve his forefathers rents, for the same might afterwards bringe meanes to his posterity to improve those his improvment^s | which fell out in the dayes of his wife grandchild, whose wholl practife was all his life, a silent complaint of this his grandfathers oversight, that had bereaft him of the meanes of trebling of his rents ; nor that an other lawe or practife might afterwards alter or repeale that Statute of donis conditionalibus, whereupon hee layde his Corner stone, which care long after received, though not a repeale, yet a defeat equivalent theirevnto, by the invention of Comon Recov^{ies}, as formerly is touched, **Nor** that a longe settled peace at home, plenty of coyne within the land, increase of people, new inventions of Husbandries, enhansinge of monies, and the like, (all which are the children of tyme) would treble his rents, nay advance them to fiteene (yea fifty) tymes his values and more, as this present yeare whereⁱⁿ I write doth wittnesse : **But** I will not foe farr digresse, as to touch the Castilian voyages, openinge the new world, whereby such flouds of treasure have flowed into Europe by that Action, as that the cense or rates of Christendome, are rayfed neere twenty fold more then before **Neither** doe I doubt to add, but if those blessings continue with vs, our late plenty of money returne, and wee desist from our endlesse going to lawe one with an other, and from our present riot and luxury in diet and apparell, but that an Acre of land nowe at twenty shillings wilbe brought to thirty shillings or more.

And surely this Lords deepe consideration of the tymes but newly elapsed, wherein hee had much, even in youth, observed, wrought him into this course : **for** if the Sherifes of Countyes could say, and that truly vpon their Exchequer Accompts, That from Ester in the nyne and fortieth of this kinge, till the six and fiftieth, such were the disorders and rebellious excesses of the people, **That** the kinges dewes and farmes were not to bee leavyed, but lost : howe much more had this lord cause to feare the fall of his revennue, havinge noe such help as the kings prerogative, to leavy his Tenants decayes or arreares, if the like tymes should returne agayne, and even then but little amended.

Claus : 56 : H : 3.
et al :

Carta in Castro de
Berkeley.

192 **And** other husbandry also was labored by this prudent Lord, whereby hee drewe much profit to his Tenants, and increase of rents and fines to himselfe, which (as many title deeds extant in Berkeley | Castle doe witnesse) was by makeing and procuringe to bee made exchanges of lands mutually one with an other, thereby casting convenient parcells together, fitting it for an inclosure and conversion, And by freeinge such inclosures from all comonage of others : Some of which deeds
present

present themselves to their reader, in an acre, half acre, a quarter of an acre, yea some in twenty and some but in the content of ten perches; By which industry, as this lord rayfied an Acre of land from iiij^d and vj^d to xviij^d the Acre, (as hath bene said: Soe this our age wherein I write, seeth the same further improved to more then a tenfold further valewe then in those his tymes, And besides had not this lord cast much of land into a mould of this shape, this Barony of Berkeley had long since wanted both timber for buildings, and fewell for chimneys, both which (out of the hedgeroes and quicksets of their enclosures) have for divers yeares past, and still are at this daye more plentifully supplied, then in the rest of that Country, where the like husbandry and providence hath not bene used. In soe much as from my house at Nibley, where I write, I doe behold them, as groves or thickets, through the neernes of the Hedges in those small inclosures: And my selfe havinge at the felling of some of the fayrest Oakes in these places, told their ages (a thinge certainly and easily to bee done, by the graine (as we call it) made in a circle in every kind of tree, by the yearly assent and consolidation of the fapp,) I have constantly found their ryfinges and plantings to answer their very tymes.

Prices of Corne Cattle Poultry &c.

Also these Accompts will truly informe this noble Family what were the usuall prices of Cattle, Corne, Poultry and other provisions expended in the house of this lord, and as the same were usually bought and sold in fayres and marketts duringe that twenty and seven yeares of Edward the first raigne, wherein this Lord lived a Baron, viz:

Wheat the Quarter, at	..	...	...	$2^s\ 4^d$, 3^s , 4^s , and 5^s
Mallin, the Quarter, at	...	...	...	2^s , $2^s\ 4^d$, 3^s and 4^s
Barly the Quarter at	...	...	...	20^d , $2^s\ 8^d$, $3^s\ 4^d$, and 4^s
Beanes the Quarter at	...	...	...	2^s , $2^s\ 8^d$, $3^s\ 4^d$, and 4^s
Otes the Quarter at	...	...	...	20^d , 2^s , $2^s\ 4^d$
Pillcorne, from the Mill, the Quarter at	...	...	...	3^s , $3^s\ 8^d$
An Oxe at	..	...	...	10^s — 11^s — 12^s
A Cowe and Calfe at	...	...	...	9^s — 10^s
A bacon Hogg at	...	...	...	5^s — $5^s\ 6^d$
A fat porket at	...	...	...	2^s — $2^s\ 2^d$
A fat sheep at	...	..	...	17^d — 18^d — 20^d — 2^s
A Lamb at...	...	...	...	10^d — 12^d
A Goofe at...	...	...	...	3^d
A Capon at...	...	...	...	2^d

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A Hen at	1 ^d ob.
A Duck at	1 ^d
4 Pigeons	1 ^d
20 Eggs	1 ^d

And in the fifteenth yeare of Kinge Edward the second, when thys Lord dyed, the prices stood thus . viz^t

Wheat, the quarter	4 ^s
Maſlin the quarter	3 ^s
Barly the quarter	3 ^s
Beanes the quarter	3 ^s
Otes the quarter	2 ^s
Fetches the quarter	20 ^d
Malt of wheat the Quarter	6 ^s
Malt of Otes the Quarter	2 ^s 2 ^d
Malt of Barly the Quarter	4 ^s
A Quarter of Apples	10 ^d
A Sturgeon in the xix th of Edward the second fold for	} 26 ^s 8 ^d
An oxe at	
An Oxe hide	3 ^s 6 ^d
A Cowe and a Calfe, at	12 ^s —13 ^s —15 ^s
A Sheep, beetweene	17 ^d and 2 ^s
A Sheepſkyn, accordinge to the growth of the fell, at 4 ^d , 5 ^d , 6 ^d fuch as were killed for provision of the houſe.	
A Lambe, at	12 ^d
A goat Skin, at	4 ^d ob.
A Goofe, at	3 ^d
A Ducke, at	1 ^d q ₃

The reſt as before

Threſhing a quarter of wheat	2 ^d
Threſhing a quarter of beanes	1 ^d ob.
Threſhing a quarter of Oates	1 ^d
Wages of a day laborer	ob. q ₃
A yeomans bord wages, per diem	1 ^d ob.
A groome or Pages boord wages p diē	1 ^d

And

And by a proclamation in the viijth of this kinge, none might sell wine in their Tavernes, above iij^d the gallon.

Claus: 8. E. 2.
m: 2.

In the tyme of Kinge Edward the third, generally about their rates as followe, but the further in his longe raigne of fiftye yeares, the dearer. As thus viz^t

Wheat the quarter...	...	...	...	5 ^s 4 ^d —7 ^s —10 ^s
Barly the quarter	...	...	...	4 ^s —5 ^s 4 ^d
Beanes the quarter	...	...	...	4 ^s
Otes the quarter	...	...	...	2 ^s 8 ^d —3 ^s 4 ^d
Bay falt the quarter,	...	...	...	18 ^d
An Oxe from 14 ^s to	...	...	...	24 ^s
A Sowe and six pigs	...	...	...	5 ^s
A boare	...	...	...	4 ^s
A Calfe	...	...	...	2 ^s
A Store pigge, or shote	...	...	...	12 ^d
Pigeons, the dozen	...	...	...	3 ^d —3 ^d ob—4 ^d
An Haggard Falcon	...	...	...	20 ^s

In the residue little variation. |

And in the tyme of Kinge Richard the second, for the two' and twenty yeares 195 of his raigne, the prizes of graine, Cattle and pultry, were rather cheaper then dearer, but the difference in effect that was, was in the temperature and season of the yeare.

A weight of wool (beinge . 21 pound) called pondus,	...	...	...	5 ^s
A sacke of wool at	...	...	...	7 ^{li} 6 ^s 8 ^d —8 ^{li}
Onions, a Bushell	...	...	...	8 ^d

Eggs . 20 for a peny, which in 150 . yeares did never rise nor fall.

And at this day wherein I write, Anno 1622, the Comon prizes of the like Comodities in the same place, is generally thus . viz^t

Wheat the Quarter	...	...	...	...	36 ^s
Maflin the Quarter	...	...	...	...	26 ^s 8 ^d
Barly the Quarter	...	...	...	...	20 ^s
Barly malt the Quarter	...	...	...	...	24 ^s
Beanes the Quarter	...	...	...	...	20 ^s
A draught Oxe, about	...	...	...	...	5 ^l

A Cowe

A Cowe and a Calfe about	...	...	...	...	3 ^{li} 10 ^s
A Sheepe about	...	...	...	...	8 ^s
Eggs 5 for	...	...	...	...	1 ^d

And theis prizes stand in refemblance of the like corne and Cattle in my old former valuations; which as well for the instruction of him that delights herein, As for avoydance of the like error this lord fell into, I have cluftered here togeather.

As for horfes in thofe active old ages of the three Edwards, and of kinge Richard the fecond, the lord Berkeleyes have payde for horfes of fervice in the warrs, and for the faddle, and draught, as deere as nowe in our dayes; 100^{li}, 100 markes, 50^{li}, 30^{li}, 20^{li}, 10^{li} 20 nobles, 5^{li}, &c.

Polichr : lib : 7.
cap : 38.

But of yeares of dearth and of extremities, when through fcarcity prizes were as deere as nowe, mentioned in divers Chronicles, I have not fpoken; But defire to bee vnderftood of the comon and ufuall prizes in each ordinary and temperate yeare.

comp̃i predc̃i. in
CaſtrodeBerkeley.

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And theis Accompts will further informe this noble family, That when this lord was free from forren employments, hee went often in progrefs from one of his Manor and farme houfes to an other, fcarce two miles a funder, making his ſtay at each of them for one or twoe nights overſeeing and directinge the forementioned huſbandries, And foe backe to | his ſtandinge houfes where his wife and family remayned, which was very great, as after appeareth, fometymes at Berkeley Caſtle, at Wotton, at Bradley, at Awre, at Portbury, And vſually in Lent, at Wike by Arlingham, for his better and neerer proviſion of Fiſh: where, for his famous weares of Rodly, Geron, and Put'houſe, hee had a ſpetiall Officer called Piſcator de Berkeley, whoſe annuall Accompts, comonly came vnto 30^{li}. per Anñ; for fiſh there taken: Some of which doe ſpeake, That of antient cuſtome, the Conſtable of Berkeley Caſtle was vpon the firſt funday in Lent allowed a falmon for his dinner, which in this Seaventh of Edward the fecond, coſt—x^d ob.

Comp: 6. et 7. E:
2.inCaſtrodeBerk:

Rot: claus: 11. E:
1. m: 9. in turre
london:

The xxviiijth of December in the Eleaventh of Edward the firſt, this Lord obtayned the kings warrant, That without impeachm^t either of Peter de la Mare Conſtable of Briſtoll Caſtle or of any other his miniſters, hee might in his owne land, feeke and digge for mynes of lead, foe that it were not within the bounds of the kinges Forreſt: With the frute of which worke aryſinge out of his Manor of Bedminſter, was part of Berkeley Caſtle covered.

The

The xxijth of August in the Twentieth of Edward the first, this Lord had a grant' from Robert Bishop of Bath and Wells, of fower staggs in the Chace of Kingeswood vpon Mendip, And withall a warrant to Richard de Pleffitis keeper of the Bishops Forrest of Mendip, That hee should not molest or impeach this lord, if in the Chace of those staggs, by followinge of his hounds hee came into the sayd Forrest: **for** which pleasure, as it seemes by the dorfe of this record, hee gave the Bishop a recognizance of twelve markes payable at a short day after: And if hee had not delighted eagerly in the sport, hee (doubtlesse) would not have bene at the charge of inrollinge the said grant and warrant in the Chancery.

Rot : claus : 20 :
E: r. m: 2. in turre
londinens :

in dorfo rot :
predict :

His Hospitalities

I am cast into this title to speake of the houskeepinge of this Lord and the quality of his servants, by a quaint record in the Tower, whereby Wiſhm de Kingescote before hee could have livery of his Manor of Kingescote out of the kings hands, for which he had beene in ward to this lord, And after to the Lord Maurice his sonne and Executor, And after (through his rebellion) to King Edward the second | was to prove himselfe to bee of full age, which by many witneses, by many tokens and observations taken vpon his birth, hee did ; As that such a preist then funge his first masse, and such a one then became a professed mūke, And such persons, as S^r Simton Bassett, and the Abbot of Kingeswood, were at the feast of his Mothers Churchinge, and many the like ; And amongst others, one deposeeth that hee was borne in the xxxijth yeare of Kinge Edward the first, at what tyme this lord kept open Christmas for all Comers at Berkeley Castle : And that John of Monmouth then Bishop of Landaph and many great guests kept with this lord the Solemnity of that feast.

Esfact: inter prob:
etai in turre
london
19 : E : 2.

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And many Accompts of this Lords household Officers and Reeves of his Manors, doe tell his posterity, That such yeares as England had him in that County of Glouc: being free from forren warres and employm^{ts}, his custome was each lent season, or neer that tyme of the yeare, to feast the Abbot and Covent of S^t Peeters of Gloucester at Gloucester ; The Abbot and Covent of S^t Augustines by Bristoll at Brystoll ; **The** Abbot and Covent of S^t Mary of Kingeswood by Wotton, at Wotton or Berkeley : wherby they had this lords good cheare for their bellies, And hee their prayers and recomendations to S^t Peter, to S^t Augustine the English Apostle, and to the Virgin Mary, (accordinge to the dedication of those severall Monasteries) for the welfare and soules health of himselfe, his wife, and children : **And** how when any of theis Abbots and those other of Cirencester, Lanthony, and Flaxley, And the

comp : diuers :
man: temp: E: 1 :
et: E: 2. in Castro
de Berk :

Lords

Lords of Sudeley, and de Aubeny and others, travelled through this lords said Manors, his foresaid Farme houses were their Innes, and his graynaries their hostelries; whereby is seene vpon the said Reeves Accompts, what the portion was, which such feasts cost, and guests spent, in Capons, Piggs, geese, Oates, and the like: **And** this entertainm^t of strangers often happened both when this lord was out of the kingdome, and at home in his Country.

comp: scūli et
garder eisd temp
in Castro de
Berkel:

The household and standinge domesticall family of this lord, lodged in house, consisted of two hundred persons and vpwards, ranked into theis degrees of servants, Milites, Armigeri, Valeti, garciones et pagetti, Knights, Esquires, yeomen, groomes, and pages, besides husbandmen, hinds, and such other of lower condition.

Escaet. in Arce
londini 17: E: 2.

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diversi comipi in
Castro de Berkeley
Inter eschaet in
arce londin: 17.
E: 2.

The wages of one of his Esquires was iij^d ob: a day, and a horse in his stable | or pastures, or ij^d ob. a day for him, and two futes by the yeare furred (duas robas cum furruris) or xxxij: iiij^d, And for a gartion or boy to attend him. j^d ob: the day, which (besides dyet in his house) came vnto — xij^d iiij: j^d ob. by the yeare, **As** (besides the household Accompts) is most perspicuously found by an Inquisition at Bristol in the xvijth of King Edward the second in the behalfe of Hugh Bisley vpon a grant made to him by this lords sonne the first of Octobr in the fiftenth of this kinge, And by the grants made by his Father and himselfe to Adam Tilly and divers others. **The** wages of a knight, more: The wages of an inferior attendant, lesse, as the sayd Accompts doe shewe.

com: hospitij in.
11: 16. 27. et: 30:
E: 1. in Castro
de Berkley:

The Acates and provisions for maintenance of this lords standinge family, were brought in weekly, Monthly or quarterly, as they were appoynted from the Steward of household, from the Reeves and baylies of his said farme houses of each of his particular Manors neere those places where his dwellinge or abidinge houses were: **In** soe much as vpon the yearly Accompts of such Reeves taken before the Auditor, are found provisions of theis kinds, and of theis proportions vsually each yeare sent to the Steward and Clarke of the kitchen; **As** from the Manor or farme houses of Came and Cowley (whose Accompts went together vnder one Reeve,) 8000 and 9000. eggs: 442 and 566 pigeons. 44 and 47 capons. 192 Hens. 288 ducks. 388 chickens. 80 hoggs, 110 porketts and 84 piggs. 274. of those forts 45 Calves: 315 quarters of wheat, 304. quarters of Oates. And from the severall Reeves of the Manor & Farme houses of Hame, Alkington, Slimbridge, Hurst, Hinton, Wotton, Simondshall, Portbury, and divers others the like and greater provisions, both in those & other kinds, as goates, kids, sheep, lambes, oxen, bullocks, and heifors, butter, cheefe, Nuts, and Hony. **And**

And what was to spare (as each yeare much proviſion was of all kinds both at the farme houſes with the Reeves, and in the ſtanding houſes with the Steward, Clarke of the Kitchen, the yeomen of y^e ſtore, and other houſhold Officers) was yearly fold and Converted into money at the priſes formerly mentioned.

And as the bounty and expence of this lord was great, ſoe it ſeemed his frugality govern^t, and order, eſtabliſhed over the affaires of his houſe | and huſbandry, was as great ; In ſoe much as every dayes and everye meales milke of every cove was rate'd and proportioned to the inferior ſervant, as what quantity of butter and cheefe might bee raiſed there from, accordinge to the divers Seaſons of ſumer and winter, the paſture where they fed and the like.

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comp. hoſpitij
temp. E: 1. de
Simondſfall et al:
in Caſtro de
Berkeley.

And for further teſtimonies of the frugality of this wife lord, for the eaſier clothinge of himſelfe, his wife, children, knights, Eſquiers, and other of their family, much of this lords wooll was yearely put out to ſpinninge, for makinge of Cloth, (as alſo for the clothinge of the poore ;) The Accompts whereof declare the charges in the wholl manufaactory ſoe particularly, in fortinge, pickinge, beating, oyling, pullinge, cardinge, ſpinninge, ſpoolinge, warpinge, quillinge, weavinge, Tuckinge, ſhearinge, dyinge, dreſſinge and the like (wherein the Auditor declares himſelfe a Maſter Clothier.), That theis our dayes add noethinge to that antient exactnes. **In** which art of Drapery are latin wordes of ſuch aptnes and rarity, as would adorne a new impreſſion of Rider, Thomasins, Mynshaw, Holloock and Grayes diſtionaries ; fewe or none of which latin or Engliſh wordes are found in any of them though all of the laſt and beſt editions, nor yet in the glosſary of S^r Henry Spilman.

comp. de wotton
temp : E : 1. et
divers al : in
Caſtro de Berkeley:

And further at ſuch tymes, as either vpon attendance at parliam^{ts}, or other this lords owne, or princes affaires, hee abode with a great branch of his family at London, hee kept two of his ſervants, who with the fower horſes were onely employed in fetchinge of bread from wenden in Eſſex (where he bred much corne) rather then hee would to the market, or baker to buy for money.

comp: 7: E: 2. de
wenden et at in
Caſtro de Berkeley.

And vpon his Journey from Berkeley towards the ſeidge of Barwike and warres with Scotland in the five and twentieth yeare of Kinge Edward the firſt, lodginge the firſt night at his Manor houſe of Slimbridge (five miles vpon his way,) hee tooke on the Morrowe along from thence with him, one and forty buſhells of Oates for his horſes provender, to ſave the expenſes of his purſe in his next nights lodging at worceſter.

Comp: Maner: de
Slimbridge 25: E:
1 in Caſtro de
Berkeley.

And

Comp : maner. de
wotton. 20 : E : 1.
et al :

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comp : manerij de
Hinton. 11 : E : 1.
in Castro de
Berkeley, et al :

And to regulate all his out-goes, And to tye even his owne sonnes (nowe man-growne) to order and frugality : His Auditors (who were the Pryor of Stānley, Elias of Combe, and Bartholomewe of Owlpen) gave in charge vpon the Rolls stricly to the Reeves of each severall Manor, Quod | de cetero nullos supervenientes recipiant, nec aliquos sumptus eis inveniant vlllo modo, nisi per literas dñi sibi fuerit mandatū, et si fecerint, non sibi allocabitur, nisi tantum fœnum, foragium, et focalia : **That** from henceforth they should receive noe guests, nor be at' any other charge in their entertainments, without the lords expresse letters, but onely, for Hay, strawe, and fire, which if hereaft^r they transgressed, it should not bee allowed vnto them.

Comp : Burgi de
Berkeley. 18 : E : 1.
in Castro de
Berkeley.

In the xvijth yeare of King Edward the first, two and thirty yeares before his death, this lord then aged 44 yeares, lay sicke at his Castle of Berkeley, And for his better recouery, as was conceived, removed from his Castle, to a grange house of the Abbots of S^t Agustines on the North side of Berkeley called Canonbury, where hee recovered; whose charges (whereunto the Abbot was put) was payd by John Sewaker Reeve of the Burrowe of Berkeley, which came to ij^d, which the Abbot received : such was the thrift and Justice in those dayes; whereof agayne the said Reeve had allowance vpon his Accompt in the end of that yeare before the sayd Lords Auditors.

Nowe if this lords posterity, in excuse of theire excesses, shall sooth themselves with the Romaine Cardinalls verse, nunc aliud tempus, alij pro tempore mores, The reply may bee, The tyme stands vnchanged, but our present manners are adulterated, from the legitimate dayes of our forefathers.

Comp : Manerij :
de Hinton. 6 : E : 2.
in Castro de Berk :

To conclude this title, In the sixth yeare of King Edward the second, this lord built of newe, one of the gate howses of the Castell of Berkeley, during which tyme, which lasted all the winter and springe followinge, hee withdrew himsele to the Castle of Gloucester, whereof hee had the keepinge, And there with his provisions frō Berkeley kept house, saving thereby as much as the buildinge came vnto, As by comparing together the household accompts appears.

comp. in Castro
de Berkeley, eod :
Anno :

And in the same yeare, hee had **Hyd** from his freeholders for the makinge of his eldest sonne knight : An honorable legall helpe to bringe in money. |

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His forraigne imployments in warrs and Embassses

Though I might truly affirme, That fewe (if any) yeares escaped this able and active lord in the last fifty of his life, wherein hee was not imployed either against the

the Welsh, the Scots, or the French, yet here onely I will mention such his expeditions of record, wherein I find his person particularly named and imployed, omittinge him the rest.

The first tyme that I finde him in Armes, was at the battle of Evesham in the nyne and fortieth of Henry the third where by the leading of prince Edward, the kinge his father was rescuffed from Simon de Mounford Earle of Leicester; And that Earle, and allmoſt all the Barons with him there slayne in a bloody battle.

Math: Paris
Stow: et divers at:

The next was with the kinge in the one and fiftieth of his raigne at the seidge of Kenellworth, from whence the kinge the third of November, writes to the Shereife of Somersetsheire, where in the life of his Father this Lord liveth, as hath bene said, That out of the profitts of his office hee should deliver vnto him thirty markes in recompensation of his horse, which hee lost in that service.

Liber: 51. 11: 3
in vltima.

The third arose vpon the ever working passion of desire of liberty in the welsh in the fifth and sixth yeares of King Edward the first, w^{ch} threwe open agayne the ill fenced inclosure of peace, which (not without drawing of blood) three yeares before had bene made betwene the said kinge and Leolyne prince of wales, who agayne takes Armes, surprises the Castles of Flint and Ruthland, with the person of the Lord Roger Clifford sent the kings Justiciar into those parts, And omits noe bloody Act of hostility: Against whome the kinge foe strongly prepares, That the xijth of December hee somons by spetiall writts all his Lords and others that held of him by knight service to meet at Worcester on Midfomer daye in the fifth of his raigne, Armed (cum equis coopertis) to goe against lluellin prince of Wales the Rebelle sonne of Griffin: Amongest others, Maurice then Lord Berkeley this Thomas his sonne, and W^m Maunfell | one of theire domesticke knights, offer themselves for forty dayes service accordinge to the tenure of this Barony of Berkeley, holden by three knights fees: whose services, saith the Record, the Kinge Atturnd over to Edmond his brother: Peace agayne is made, The kinge returnes (havyng taken Anglyfey) And with him the sayde Leollen, who after hee had kept his Christmas at westm^r with the kinge, returned for wales.

Daniel: fo: 158
et divers: alij:

Escuage roll in
arce londō: 5:
E: 1.

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Baronia
Stowe chron: et: at:
How: fol: 200.

The welsh agayne revolt, and attempt theire liberty out of the power of kinge Edward, And in the Tenth of his raigne, massacre the said Roger Lord Clifford th'elder, a noble knight, and the kings Justitiar in those partes of wales: The kinge by his writt the xxiiijth of May the sayd yeare, sends to this lord Thomas to prepare himselfe

Daniell. Stow
fol: 201.
Escuage Roll. 10.
E: 1. in arce londini
Rot: Wallie: 10.
E: 1. arce lond:

Comp: garder :
in Castro de
Berkeley.

Stat: de Ruth-
land. 12. E: 1.

himselfe for that warre, Hee with his retinue attendeth : That and the next yere foe entirely ended that warr, with the death of the Prince Iuellin, and of David his brother lord of Denbigh, That the whole principallity was vnited to the Crowne of England, And the govern^t thereof established accordinge to the lawes of England, As witnesse the Statutes of Ruthland made in the Twelth of the said kinge.

Rot: Scutag: 10.
E: 1.

From this Journey this Lord drew profit, and added some honor to his inheritance; for the king havinge vpon his voyage into wales leavyed escuage of forty shillings for each knights ffee holden of himselfe, And this Lord havinge bene with him in those warrs accordinge to the tenure of his Barony of Berkeley, had also the kings writs to leavy escuage vpon all those that held of him by knight service or in focage in the Countyes of Leicefer, Gloucester, Essex, Somersfett, and Huntington, at forty shillings de scuto, for each knights ffee. **A**nd greeved I am for the not knoweing what he leavyed, and of whom, for the booke of tenures sake, which I have made of all the now lord Georges Tenures, aswell by knights service, as in focage, the labor of some yeres.

Rot: wallie 11:
E: 1. in dorfo.
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The xith of March in the xith of King Edward the first, the kinge writes to this lord, affectuofe rogans in fide qua sibi tenetur, quatenus | cum equis et armis et decenti apparatu ad se veniat &c. most affectionately desireing him in that sayth which hee owes vnto him, That with horses and Armes and decent furniture, hee would come to him to Mont Gomery within fiftene dayes after Easter next, to goe against the welshmen, And this to doe as hee loved his honor and kindome.

Rot: eodem:

And the xxviith of June followinge writeth thus agayne to this Lord, Quot fraudum et machinationum generibus lingua wallensiū &c. By howe many deceipts and machinations the tongue of the welshmen after the fashion of Foxes, have invaded our progenitors and our kingdomes, and what slaughter they have made of our Peers and noblemen &c. what Castles they have burned, howe often they have disturbed the kindome fearing neither god nor man, the tongue of man cannot expref: And therefore desires this Lord to bee with him at' Shroesbury at Michaelmas next to advise and consult what is to be done with them, and espetially wth David brother of Iuellin late Prince of Wales: **A**nd herein alsoe recites with much comendacōn the former labor, paynes and charge which this Lord had formerly taken and bene at with him in his form^r welsh warrs.

Pat: 11. E: 1.
m: 23.

And here (though vnder an improper title) I may not omit the two rewards which for his service in the warre, all the winter followinge, this Lord vpon his suite,

fuite, received vpon the sixth of February after from the kinge at Rutland, The one being a grant vnder the great seale, That at all tymes duringe his life (vnlesse in menſe vetito in fence tyme in the forbidden Month¹) hee ſhould have liberty with his owne doggs, to Hunt the fox, hare, badger, and wilde Cat, in the kings Forreſt of Mendip, and in his Chace of Kingeswood on both ſides of the water of Avon, neere Briſtoll, And the ſame to take and carry awaye.

And the other was the kings remittinge to this Lord, one hundred marks which hee owed him for a releefe for his Barony of Berkeley after his fathers death, wherein is given a testimony of his good ſervice, The words are theis, Quod rex pro bono ſervicio quod Thomas de Berkeley regi impendit in vltima expeditione regis walliæ, pardonavit ei centum marcas in quibus regi tenetur ad ſcaccarium regis pro retio ſuo, et mandatum eſt Theſaurario et baronibus de ſc̄cio quod eundem Thomam de predictis centum marcis quietum eſſe faciant. Teſte apud Hereford, ſecundo Decembris In which Roll I could not obſerve any other to bee ſo well rewarded for their ſervice in that Journey: And this alſo was the firſt frute of Magna | charta, to this family in any releefe for their Barony, made certayne therby at one hundred markes ~~yet~~ as though this was forgott by this Lord, hee had a ſecond pardon for halfe this releefe in the xixth of that kinge.

Claus : 12. E : 1.
m : 10.
Baronia :

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Claus. 19 : E : 1.
m : 5.
See fol : 205.

The thirtieth of December in the xiiijth yeare of his raigne, this Lord found this further favor from the kinge then at Briſtoll, That whereas he ſtood furety for Thomas ſitz Maurice of Ireland to pay the king ſeaven hundred markes for the value of his mariage, And whereas the kinge had aſſigned over that mony to the Marchants of Luk, for which this Lord was become bound by his recognizance in Chancery, That nowe the kinge willinge to requite his laudable ſervice to him freely done, doth pardon him twoe hundred markes thereof, And for payem^t of the other five hundred ſhall have each Michaelmas and Eaſter by one hundred markes a daye, And accordingly directs his privy Seale to the Barons of his Exchequer.

Fin : 13. E : 1.
m : 18.

The

¹ The Fence Month, called *Menſis Prohibitionis* and *Menſis Velitus*, is the 30 days extending from 15 days before Mid-ſummer day to 15 days after, which is the fawning time for deer, during which all hunting or wandering in the Foreſts are prohibited by Statute. Some ancient Foreſters called this month the *Defence Month*, becauſe the deer are to be defended from all diſturbance or apprehenſion of danger. The *fence time* is now very familiar to us as regards falmon and ſome other fiſh, and lately, under the Wild Birds Protection Act, as reſpects moſt birds. Sergeant Fleetwood ſays, as regards deer, that the *Fence Month* has always been kept with *Watch and Ward* (or guard by night and day) through the whole Foreſt ſince the time of Canutus.—“Fleetwood’s Foreſt Laws,” p. 5. See alſo “Nilſon’s Laws of England,” concerning Game, 3rd Ed., 1736. [ED.]

Rot : walliæ. 14.
E : 1. in dorfo.

The xiiijth of June in the xiiijth of his raigne, the kinge fends to this Lord to meet Edmond Earle of Cornwall his vncke at Gloucester on Midfomer day with his hors and men, decently arrayed for the warrs, to advife with him, and doe as hee fhall require. And this was a Journey into wales againft Refus fonne of Mereduck.

Pat: 17. E: 1. m: 7.
Rot. Valcoñ eod
Anno. pars: 1. m: 6.
comp: recept: 18.
E: 1. in Caftro de
Berkeley.

In OOctober in the xvijth of his raigne, this Lord went beyond feas to the warrs in France in the retinue of Roger Bigod Earle of Norfolke and Marshall of England, not forgettinge before his departure his protection for freedome from fuites of lawe, from the xijth of that Month till Easter following.

Claus: 19. E: 1.
m: 5.
fol. 204: vt fupra.

And shortely after his returne (an other reward of more then a yeares fervice) the kinge, the feaventh of June, pardoned to him fifty markes, the halfe of his fathers releefe, which by proces out of the Excheq, were for his Barony required of him; whereof I have given a touch before.

Chron: monaft:
de Hales, manu:
cū Robto Cotton
baronetto.

In the xxijth of his raigne, Anno. 1295. was this Lord Thomas fent Embaffador to the kinge of France, then holdinge his parliament with the three eftates of his Realme, cum alijs viris prudentibus de pace tractaturis, with other wife men to treat of peace, with that kinge and State, whoe returned without effecting theire defires in March followinge. And about the fame year was made of the Kinge's Privy Counfell.

205

Rot: walliæ: 23.
E: 1: m: 4.
comp: recept:
eod Anno in Caft
de Berkeley.

In the latter end of Somer in the faid xxijth of the king, was a great Journey into Wales for the extirpinge of that nation, had it bene poffible. The generalls over which Army feem to bee Roger Bigod Earle of Norffolke and Marshall of England (a great familiar freind of this lords) and William de Valence Earle of Penbrooke the kings vncke: vnder which Earle Marshalls regiment was this lord Thomas, (with a great troupe of his owne,) Maurice his eldeft fonne, Thomas de Berkeley his fecond fonne, Robt de Berkeley this Lords vncke and others of the family of Berkeley: none of whome omitted theire writs of protection to preferve them from futes till Easter following.

comp. de
Slimbridge. 25. E:
1. in Caftro de
Berkeley.

pat: 24. E: 1. m:
19. bis in eod rot

In the xxiiijth of King Edward the firft and in the begining of his xxvth yeare, This Lord was at the warrs in Scotland and feidge of Berwicke with both his fonnnes Maurice and Thomas, and Thomas fonne of Thomas de Berkeley senior: from whence the kinge calleth this Lord by a gracious intreaty the fifteenth of May in the five and twentieth of his raigne to accompany him into France; whither hee paffed

passed in perfon the xxijth of Auguft following with a puiffant Army, over which hee made this Lord Conftable, which honor and place alone, given him by foe able and active a kinge (whoe as S^r W^m Herle cheife Juftice of the Court of Comon Pleas in the tyme of King Edward the third, faid was the wifeft kinge that ever England had) then in perfon proclaymeth the worth of this Lord, who thereby was made fuperior in trust and authority to many princes of the bloud, and great peers then in the Kings Army.

That Somer beinge fpent in warre, the kinge and his Army winter in Flanders and returned for England in the fpringe followinge with this Lord his Conftable, whose laft baytt was at Symondfall where hee refted wth all his Carriages the night before hee came to Berkeley Caftle. **And** in the retinue of this Lord went Maurice his eldeft fonne, Thomas fonne of Thomas de Berkeley which was his fecond fonne, and many other gentlemē his neighbors here named in this record : **All** which had theire writs of proteccion for a yeare dated in July and Auguft to bee free from fuites or moleftations in theire eftates duringe theire services in theis warres.

And vpon the kings departure (the xxijth of Auguft) this lord reconciled twelve Rectors and Vicars of Churches to the kings favor, which they and others had loft in refiftinge his defires in money Matters, whereof the Vicar of Berkeley was one, And this reconcilement (fayth the record) was at the request of this lord Thomas. |

In June in the xxvjth yeare of this raigne was an other greate voyage into Scotland, In which Army vpon the kings like request went this Lord and the fayd Maurice and Thomas his fonnes, (who with the kinge returned out of France but in March before,) And alfo Robert de Berkeley of Arlingham who went fomewhat before with . 2000 . men out of Gloucestershire which hee by Comiffion had there leaved to refist the Scots till the kings returne and cominge thither, **And** three other Berkeleys of this family nowe went alfo, who had all theire feveral proteccions from futes for detts, moleftations in theire eftates, or otherwise, whileft they should bee abfent in the kings service ; **At** this tyme it was, that the kinge vpon Mary Magdalens day wan the great batt^{le} of Faulkirke, where more then 20000 Scots were flayne. And a very fmall tyme before was this Lord Thomas at the expugnation of Goodricke Caftle there, from whence as I conceive, hee was hither called.

And the xxijth of November in this xxvjth of his raigne, the kinge by his privy Seale, (whereto the Prince his fonne was witnes,) in recompence of the good Service which

Rot. protec^on
25. E : 1. ps. 2.
m : 3. 5.
Holling. fol : 304.
claus : 25. E : 1.
in dorfo.
5. E : 3. 14.

comp. de wotton
26 : E : 1. in caftro
de Berkeley.
Rot : protec^on
25. E : 1. ps. : 2
m : 3. et : 5.

fin : 25. E : 1. m. 6.
pat : 25. E : 1.
in dorfo :

206

Rot : Scotiæ. 26.
27. E : 1. m : 7.
claus. 26. E : 1.
dorfo comp. de
Slimbridg. 25.
26. et 27. E : 1.
in Caftro de
Berkeley.
Rot : prote^{ct}. 26.
E. 1. in dorfo.
Comp. de Hame.
26. E : 1.
Polich : lib : 7.
cap. 40.
Stow chron : cum
Howet divers : al :

Pat. 26 E. 1.
in ultima.

which this Lord Thomas did vnto the kinge whilest hee was with him in Flanders, pardoned him fifty markes whereat hee was amerced before Walter de Bello campo and others, Comissioners for trespaffes by him comitted in the kinges chace neer Bristoll, for paym^t whereof hee had put in five fuerties (here mentioned) who are also pardoned ; And a writ is directed to the Barons of the Exchequer to Acquite this Lord and them from the said dett :

claus : 26 : E : 1.
m : 6.

Some such huntinge offence, I suppose, it was, that drewe this Lord to bee fuerty for the sonne and heire of Thomas the sonne of Maurice Berkeley to have him forth Cominge what tyme the kinge would, whom hee the nynth of July appoints to bee delivered to Margarett wife of the fayde Thomas, sonne of Maurice Berkeley : **f**or certainly never were more stirring youthfull Spirits at one tyme together of this familie of Berkeley, then nowe, And each one of them martially inclyned.

Pat : 28. E : 1.
in feperal. membr.

And in theis tymes an amerciament for huntinge or killinge a Deere in any of the kings Forrefts or chaces was vsually an hundred pounds vpon an offender, though hee were but of reafonable condition.

207
Claus : 27. E : 1.
in dorfo.

The seaventh of May in the xxvijth of his raigne the kinge writes to | this lord to meet him at Carleill at whitson tide after, sufficiently armed and arrayed for the warrs against the Scots : **A**nd after by his writt the xvjth of July prorogued his cominge till the second of August ; And by a third, forbids his cominge till forty dayes after a newe Somons.

Scotiæ de protect.
et al : 25. E : 1.
bis.

And lastly the xvjth of September enioynes him to bee at Yorke the morrowe after Martlemas day being the xijth of November whither went also with him his forefayd two sonnes, Maurice and Thomas, and all the other of that surname, as in the former yeare.

Pat : 27. E : 1.
m : 3. et : 4.

And pro fideli servicio quod dilectus et fidelis noster Thomas de Berkeley nobis impendit, for the faythfull seruice which our beloued and faythfull Thomas de Berkeley hath done vnto us, wee doe (25. Marcij) pardon him threescore and five pound which hee owed us, And for leavyinge whereof proces out of our Exchequer was against him, faith this record.

Claus : 28. E : 1.
in dorfo.

The thirtieth of December in the xxviiith of his raigne, the kinge from Berwick fends to this Lord to bee with him at Carleill at Midfomer after to goe against
the

the Scotts his enemies and Rebels : And directis other writts to the Sherife of Gloucester, That every man that can dispend forty pound land, should at the same tyme come with this Lord and John Ap-Adam Lord of Beverston, for that (faith the writ) hee was not able longer to forbear the malice, iniuries, and rebellions of the Scots : **To** which effect the kinge the second tyme writes a few weekes after.

Rot: claus. p'dict:

In this xxviiijth yeare of the kings raigne was the famous feidge and expugnation of the Castle of Carelaveroke held inexpugnable, whereat were the kinge with the prince his eldest sonne, And this Lord Thomas with his eldest sonne Maurice, and Thomas and John his fecond and third sonnes : And here were also Robert de Berkeley, Thomas sonne of Thomas de Berkeley and others of theire name and alliance : Each of whom had theire severall writts of protection and defence, for all theire lands, goods, chattles, and of freedome from fuites, and iniuries at home, whilest they should bee with the kinge in his warrs abroad.

Orig: manufer :
cum wijo Neve
de Allahton in
co. Norff :
protection. et
attorn. Scot. 28.
E: 1.
comp: recept. 28.
E: 1. in Castro de
Berkeley.

In the xxixth of his raigne from the Parliament at Lincolne the xiiijth of February, the kinge sends to this Lord to provide against Midfomer followinge to goe with him against the Scots ad reprimendam rebellionem et proterviam Scotoꝝ, intendens finaliter procedere, to repress the rebellion and infolency of the Scots, purposing finally to | destroy them, **And** the xijth of the next Month sends to this Lord agayne to meet him at Berwicke at Midfomer after withall his power, And for ought I have observed to the contrary this was as great and generall Sommons into all Sheires of this kingdome as remayneth of recorde. **And** accordingly this lord maketh greater preparation then in any former expedition of his life ; **And** conscious of the kings intent, in steed of a will, by his deed dated the first of August in this xxixth yeare, disposed of his worldly affaires ; in this fort fetlinge his estate. **To** Maurice his eldest sonne hee giveth for his life his Mannors of Wotton, and Wotton Burrowe, with the faire and Marketts thereof, Simondsfall, and Hinton, and the profitts of all his lands in Came, Cowley and Slimbridge, with his woods of Came and Cowley, his Manor of Portbury and all his fishings in Erlingham, lately purchased of his brother Robert, payeing to himselfe one hundred and twenty pounnds by the yeare : **And** to his sonne James thirty pound by the yeare untill hee were promoted to an ecclesiasticall lyvinge of forty pounnds per Annũ : **And** to his other sonne John twenty pounnds per Anũ : (who this voyage attended his Father). **And** to his daughter Isabell fower pounnds per Anũ : **And** to five of his servants (particularly named) five markes the peece : And to five poore Schollers the like : **And** soe likewise to the fryars minors, and fryars preachers at Gloucester, As by the deed, floared

claus : 29 : E: 1
in dorfo.

208

How: fol: 208.
Hollings: fo: 309
et at:

Carta in Castro
de Berkeley.

Anno 29.

Holling. 311.

floated with other like liberalities, appeareth. **The** warr continueth all the Somer of that xxixth yeare : The kinge with his Army wintred in Scotland, where hee found such want of forrage, as many of the great horfes of his Army perished in that needy and colde Clymate.

Hollinsh : 311 :

The springe approachinge, the king, having suffered many winterly discomodities, harkened to the motion and sute of his brother in lawe the French kinge, (whose sister Margarett hee had marryed two yeares before) made in the behalfe of the distressed Scotts, And foe with a truce till All Saints followinge, that warr ceased, And this Lord, wth his sonne John returned for Berkeley.

Hollingsh: fo: 309.

Orig. in Sc̄cio.
310.

209

The 10 : Berkley
is the 37th and
Roger de la Ware
the 52th in theire
ranck, now crept
before him in
precedency.

In this xxixth yeare of this Kings raigne, Anno . 1300. was holden A Parliament at Lincolne from whence proceeded that remarkable letter, dated the xijth of February, written from one hundred and fower|of the English temporall nobility thereat assembled, to pope Boniface, in answere of his to the kinge, touchinge the kings iurisdiction and Soveraignty over Scotland : The pope required the kinge not onely to releafe such Scottish prisoners as hee had taken, but to give over those warrs which hee made against the Realme of Scotland, And to followe his clayme theirtio, if hee had any, in the Court of Rome, the proper place for decidinge such controversies ; The rather also for that the Realme of Scotland was surrendred into his hands by the generall consent of the Scots, And that therefore it was in the power of his holines to bestowe and take awaye the same to whom or from whomsoever it should please him : **The** originall duplicat of this letter remayneth vnder the proper Seales of the sayd Earles and Barons in the Abbathy of Westminster amongst the records there kept, which besides the number of the Nobility, theire names, additions of places, and honor, Seales, and precedency, of the English nobility, which it excellentlye setteth out, sheweth also the noble magnanimity and largenes of courage that then lived in the breasts of those Nobles, And the small regarde, even in those tymes of darke devotion, they had of the popes comands or thunder of excommunication in temporall causes ; wherein, in the behalfe of themselves, and of the wholl Cominalty of England, they avowe theire kings right to the Soveraignty of that kingdome : **And** absolutely conclude, That the kinge their Lord should in noe fort vndergoe his holines Judgment therein, neyther should send his procurators about that busines, neither would they permit any such proceedinge which might bee preiudicall to the Crowne or royall dignitie, or to the Customes or lawes of England : Neither would they suffer their kinge, if hee would, to doe or in any way to attempt the same, **And** therefore prayed his holynes to meddle noe more

Dan : 168.

more in that matter which appertayned not vnto him : **Which** indeed, hee did not, nor would further provoke such heroicke spirits, And what after succeeded, followeth in the lamentable story of that nation, and in the next imployments of this Lord.

The truce with the Scots is expired, the Somer approacheth, The kinge sends the Lord John Segrave, with whom goes this Lord Thomas, Maurice and John his sonnes, with a greate Army | into Scotland, as warden thereof, who, (though a right valiant Leader) by the incircumspect dividinge of his Army into three parts (foe farr removed as none could helpe the other) is defeated in battaile, and taken prisoner, yet fore wounded was rescued by chance: The Kinge of England is intraged And the next somer (which was in the xxxith of his raigne) invadeth Scotland in person with a powerfull Army, And in revenge of the death of his men, and the defeat of the Lord Segrave, pearceth through the wholl kingdome of Scotland, as farr as Cathnes in the farthest parts thereof: wintereth in Scotland; beseidgeth and taketh the Castle of Stryvelyne; And then returneth for England with this Lord Thomas, whose retynue in this warr was great, accompanied also with his sonnes Maurice, Thomas, and John, and twoe others of his name, all that winter also with the kinge and their father in Scotland. **And** noe sooner returned to Wotton with his great horses (as speaketh the Accompt of that Manor) but hee hafteth to the Jufts and Turniament holden at Worcester.

In which voyages none of them omitted to have their severall writs of protection, for respite of dets they owed, and freedome from suites, some of which, bare Teste at Stryvelyne, Kinles, and Perth in Scotland, others at Berwicke, and other places in England; To which kind of forren Rolls kept in the Tower of London, and to the household Accompts of this Lord, I confesse to owe much for the certainty of theis relations.

In the xxxiiijth of the kings raigne, aryseth a great controverfy between this Lord and his eldest sonne Maurice on the one part, And the Towne of Bristoll of the other part: vpon often hearinge and examination whereof, both in Parliament and before the kinge and his Counsell, and the Justices Itinerant at Gloucester, this Lord and his sonne and their men were fined at one thousand markes, as amongst the lawe suites of this Lord after followeth: This fine, and those foule misdemeanors, the kinge in July in the xxxiiijth of his raigne, pardons, in consideraçon that this Lord should find the kinge ten Armed horsmen at his owne Charges to attend him in his present Army then goeing into Scotland againste Robert Bruse the Traytor,

Holling: fo: 311
et multi alij.

210

claus: 30: E: 1.
m: 7.
protect: et atton.
30: E: 1. m. 1. 10.

comp: de wotton
32. E: 1. in cast.
de Berkeley.
Stow. 209.
Tho: de la More.
Rot: protect: et
atton: 31. E: 1.
m: 7. 10.
comp: recept. 32.
E: 1. in Caistro
de Berkeley.

Pat: 33. E: 1.
pars. 1. in dorfo
bis.

Pat: 34. E: 1.
m. 14.
Claus: 34. E: 1
dorfo.

Trin: rec: in rem:
the faur: in Scio
34. E: 1.

there to contynue from St Lawrance daye next, as longe as the Kinge should personally bee in Scotland, | vnder the conduct of Thomas Berkeley his sonne or some other Captayne, And tooke bonnd accordingly by obligation, which yet remayneth with the aforefayd Condiçon endorfed : And accordingly, Thomas the sonne went, And so also did this lord his father, and his elder brother Maurice, and foe greate a Number of remarkeable English more with the kinge in this xxxiiijth of his raigne, as the names of thofe that had protections for the tymes of their beinge with the Kinge in this warre, take vp twelve rolls of parchement : And the warre it felfe foe blouddye and difasterous to the Scotish Nation, That theire histories complayne, That kinge Edward carryed away captive all fuch as had any the leaft ability to stirr : endeavoured to extinguiſh the very memory of theire Nation : abolifhed all their antient lawes ; difpoyled them of theire hiftories ; theire writings of State, and theire antient monuments ;² tranſported theire bookes and booke men into England, Sent to London theire Marble Stone, wherein confifted the fate of theire kingdome : leaft them noethinge that might either incite them to remember theire former fortune, or inſtruct generous ſpirits in the way of vertue and worthynes : Soe that hee bereaved them not onely of theire ſtrength but of theire mindes alfo with other bitter exclamations ; whereto that watchfull and eager kinge in the enlargement of his power, gave them, perhaps, cauſe iuſt enough. **Neither** deſiſted vntill hee had incloſed this vowe in his boſome, That alive and dead hee would further bee revenged on the periured Scots ; Adiuringe both his ſonne and nobles, (whereof this Lord was one,) in a ſolemne aſſembly vpon theire fealty, That if hee dyed (as hee did) before that martiall vowe performed, they ſhould carry his body vn-interred in theire warres till the ſame were accompliſhed. **And** howe farr in a blouddy Conqueſt, made by the ſword, many yeares togeather vnſheathed, hee had proceeded, may be gathered by the title of his writs and ſomons of Parliam^t in the three and thirtieth yeare of his raigne, which was aſſembled, pro ſtabilimento terræ Scotiæ, for the eſtabliſhment of Scotland, which the king had conquered. |

212

In February in the five and thirtieth of his raigne was the Parliament held at Carlile in the North : which being ended, the kinge, (accompanied with this Lord and

¹ In the Introduction to the *Calendar of Documents relating to Scotland* (8^{vo}, 1881,) Edited by Mr. J. Bain, and published by the Authority of the Lords Commiſſioners of Her Maſteſty's Treafury, this ſubject is diſcuſſed at ſome length. It is there ſhewn (pp. vj-vij) that an Inventory made in 1282 of fundry bulls, charters, and other muniments, then in the King's Treafury at Edinburgh, and three years before the death of Alexander III, had been by hiſtorians confounded with the Records themſelves. It was this Inventory only that reached the Engliſh Exchequer. There is not a particle of evidence (concludes Mr. Bain) that any ſuch documents as thoſe laſt were ever transferred to England at all, and ſtill leſs that they were deſtroyed by Edward the Firſt. [Ed.]

211
carta in Scōio
træ proteçt : 34.
E : 1. m. 2. et
poſtea.
Boetius
Buchannan et al :

claus : 33 : E : 1.
in dorſo :

claus : 34. et 35.
E : 1.
fin : 35. E : 1.

and his said sonnes Maurice and Thomas,) prepareinge to goe, or rather (as the record saith) then goeing against the Scots perfidity, dyeth by Carlile the seaventh of July. 1307. when this Lord and William de Geynsborough Bishop of Worcester, with Maurice this Lords eldest sonne, were vpon their Journey (as Ambassadors from the kinge) towards the Court of Rome in profecution of those affaires of state, which were betwene Phillip kinge of France and him: **They** were dispatched by the kinge from Carlile the xxvijth of June, then also receyving their letters of safe conduct generally, for their good entertainm^t and usage vpon their waye to Rome for themselves and their families: And the daye before had their severall protections vnder the privy seale, which being to endure but till the feast of All Saints after, declared their hast was vrged: Howbeit had not their dispatche for instructions, nor letters of Credence to the pope, till the fift of July, And the second daye after dyed the kinge: **But** whether they went to Rome or not, or whether they were recalled or returned of themselves through the kings death, or what diversion might happen by the death of the sayd Bishop of Worcester at Berlaçm within the yeare followinge, through their Joynt authority, I have not found.

Rot : Romæ. 34.
et 35. E : 1. m : 2.

Pat : 35. E : m. 8.

Itæ protect : 34.
et 35. E : 1. m : 2.

Rot : Romæ : 35.
E : 1. memb : 2.

Rot : Romæ. 1. 2.
3. E : 2.
Godwin fo : 443.

But the date of this Lords writ being the xxvjth of August folowinge to come to the parliament to bee holden Quindena Michis after May make vs thincke, that hee was then returned.

claus : 1 : E : 2.
in dorso.

And the xvijth of January then after, had his writ to bee present at the newe kings Coronation the Sunday after S^t Valentines daye, And likewise an other writ, dated the Nynth of Marche followinge, to bee at the Parliament to bee holden Quindena Pasche next ensueinge.

eodem.

And the xxjth of June followinge, being towards the latter end of the new kings first yeares raigne, the kinge somoned this Lord by his writt, to bee with him Armed and furnished at Carleill the Octaves | of the Assumption of our Lady, then the xxijth of August next followinge, to goe against Robert le Brus of Scotland.

eodem :

213

And in the meane while, the king In January in the sayd first yeare of his raigne, makinge a short Journey into France, this Lord and his twoe sonnes Maurice and John, went thither with him, As by their severall writs of protection and freedom from suites, Dated at Dover the xvjth of the said January may appeare, the king then present.

Pat : 1 : E : 2.
pars 2. m : 28.
comp. recept. dñi.
eodem anno in
Castro Berkeley.

The xvjth of August in the second yeare of his raigne, the king sends his severall writs to this Lord and to Maurice his eldest sonne, shewing that at the last parliament

Claus : 2. E : 2.
m : vltima.

parliament begun after his coronation, by reason of intervenient' occasions, many thinges of great importance remayned vndetermined, nowe hee wills them to bee with him at his parliam' to bee holden at Westminster in tres [] Michis next ad consulendum inter magnates regni sui :

Thus comes Maurice first in to bee a Baron.

claus : 2. E : 2.
m. 14.
Comp : garderob.
in Castro de Berk.

The viijth of January in the second of his raigne, the kinge sends to this Lord and to divers other spetiall select Peeres of the Nobilitye to bee with him at Westminster the second Sundaye in Lent, to advise about the great affaires of the land, And accordingly hee goes.

claus : 2. E : 2 in
dorfo :

The xith of June in the same second yeare, the kinge writes to this Lord and alfoe to his sonne the Lord Maurice, to bee with him at his Parliament at Stamford, to bee holden the Sunday after S^t James daye to advise about his enemyes the Scots, becaufe the tyme of truce being now expired, which by mediation of the French kinge hee had taken with them, they had invaded his Townes, burnt & destroyed his people &c.

eodē in dorfo.

And the twentieth of the same June the kinge writes agayne to them both, willinge them accordinge to the Ordinance of his first parliament, to bee ready with horse and Armes, to goe with him from Stamford against the Scots, accordinge as it shall there bee agreed vpon in their conferences together.

claus : 3. E : 2.

214

eod in dorfo.

And the xxixth of July beinge in the third of his raigne, from Stamford, after a short consultation there, the king sends out his writs to this Lord Thomas, and to the Lord Maurice his sonne, to bee wth him at Newe | Castle vpon Tine, on Michaelmas daye after to goe against the Scots, who perfideously had broken the Truce and murdered his subiects, **Which** service by other writs vnto them the xith of Septemb^r following, was further prorogued till the morrowe after all Sowles day. **And** the xxvjth of Octob^r, the Kinge then in his way towards the Scotch Warrs (as was thought) sends his new writ's to this Lord and the Lord Maurice his sonne, to bee with him at Yorke at his Parliament there to bee holden the Morrowe after Candlemas daye, to consult for repressing the vnufferable damages and murders comitted by Robt de Brus and his Scotts : **But** by other writts the xijth of December they were directed to bee at Westminster the sayd daye, whither the parliam' (first appoynted for Yorke) was nowe prorogued ; **Thus** vnder a weake kinge wavered the great affayres of State.

The

The xjth of May followinge, this Lord Thomas was present at Woodstocke, and a witnes to the kinges delivery of his greate Seale, to Ingelard de Warleigh whom then hee made his Chancellor. eod :

The xxviiith of May and the xviiith of June followinge in the sayd third yeare, the king sent to this Lord Thomas, and to the Lord Maurice his sonne, and to one hundred thirty and five other Barons and Earles, besides Bishoppes and Abbots, to bee with him well Armed with horse and foote, at Berwicke in the feast of the Nativity of our Lady next (the viiith of September, Anno quarto) to goe with him against Robert de Brus king of Scots his mortall enemy, who had entred his land, taking his Castles and Townes and destroyed his people, committinge dayly murders, burnings, and depredations, which hee is not ignorant of ; wherefore intendinge to repress those infolencies, and to recover backe what Robert de Brus hath taken : Therefore not to fayle to meet him, cum equis et armis quanto potentius poterint, prompti et bene parati : &c. with hors and Armes as powerfully as they can provide, ready and prepared to goe with the kinge as aforefaid, which they performed: Claus: 3 : E : 2.

claus : 4. E : 2.
in dorfo.

Rot : Scotiæ : 4 :
E : 2.
comp. garderob. in
Castro de Berkeley
eod : Anno.

And then sent further to this lord, appoyntinge him to take the musters for the County of Gloucester, And to see all the foote of the County to bee well Armed for his Journey against the Scots: **for** which expedition that County furnished at twice. 1430 quarters of wheate : 630 quarters of Oates, and 340 quarters of beanes and pease : The successe the Comon Cronicles in print declare. |

And the xxviiith of July in the sixth yeare of his raigne, the kinge declares how hee had sent to this Lord, and to Willington and Maunfell two knights, to muster and Arme in the County of Gloucester, five hundred foot men for his warrs in Scotland, whereof the greatest part to bee taken out of the Forrest of Deane, And this to have bene with him at Rokeburrowe the first of August followinge in the sixth of his raigne.

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Rot : Scotiæ. 5. et
6. E : 2. m. vlt.

And that whereas they had sent part of those men, and neglected the residue ; The kinge nowe required Nicholas de Kingston, That hee should take to him, which of the forenamed three, (1 Berkeley, 2 Willington, or 3 Maunfell) hee held to bee most faythfull to his Crowne, And to rayse and Arme the residue without fayle ; And writes also of all this matter to the Sherife of Gloucestershire, And that hee should compell those foot foe chosen, to come forward for his warrs, And if any of them refused to arrest them as Rebels ; **But** I doe not find that either this Lord or his sonne

fonne or any of his name, were sent vnto, or went this Journey towards Scotland : And caufe there is to thinke that they disliked the present government' and greatnes of the two Spenfers, that nowe immoderately grew vp, which yet they carryed warily.

It seemes the delight the kinge tooke in Peirs Gaveston the Gascoigne, gave discontent to the Nobles at home, and such peace and rest to the Scots abroad, notwithstandinge the shewes and Flashe of warrs that had bene in five or six yeares past, presented against them, That findinge withall the English state to bee diseased, (as in truth it was,) and the head weake, they entred the Marches, and foe farr wafted Northumberland, That the Outcryes of the people, and the dishonor of the kingdome, drewe the kinge to take Armes for redresse; And to bring together an Army of one hundred thousand of English and other nations, (some Scottish Histories more then doublinge that number,) Amongst whome was this Lord, and the Lord Maurice and Thomas his sonnes with many of their knights and Esquires; A bloody battle is stroake at Bannocks Burrough in Scotland, The English lost the day: more of whom the Scottish sword devoured then their Army consisted of besides greate Numbers of the English Nobility and others taken prisoners, Amongst whom was this Lord Thomas and his sonne Thomas (Maurice escaping;) which happened in Midfomer day in the | Seaventh yeare of the kings raigne, Anno. 1314. vpon which battle the Scots thus scoffingly rymed:

Maydens of Ingland fore may yee mourne,
For your Leomans ye haue lost at Bannocksborne.
with heve aloe:

What weneth the Kinge of Ingland,
So soone to have wonne Scotland
with Rumbiloe.

Claus: 7. E: 2
in dorso:

Howbeit the same day this battle was stroke, there issued from the kinge a spetiall cōmand vnder seale dated at Berwike to this Lord Thomas, requyringe him, That setting aside all other busines whatsoever hee should bee before the kings Counsell within fiftene dayes after to goe beyond Seas in the kings affaires, as then it should bee enioyned vnto him; And to performe this as hee loved the kinge and his honor, and would avoyd his indignation: whereby it seemes, the state purposed to keepe him from Idlenes: **B**ut his captivity prevented that attendance, And I beleeve the receipt of that writ also.

Helin geograph.

This great defeat, wherein the kinge himselfe hardly escaped by flight, put Scotland both into Armes and wealth and revenged (by the overthrowe of the greatest

greatest Army that ever the English brought into the feild) the measure of their blood, which formerly had bene spilt by the kings Father: **I**t foe much discouraged this kingdome, That for many yeares it wrought not any great revenge :

The cheefest care was to fortifie the bordures vnder the Charge and Care of the most valiant Captaynes that remayned vnslayne, nor taken prisoners, nor daunted or dejected ; (for nowe, a facie duoꝝ vel trium Scotorum fugerunt Angli centum, three Scots would nowe Chace an hundred English borderers, as Walsingham hath): **Whereupon** the Lord Maurice Berkeley eldest sonne of this Lord Thomas, for his valor and experience was shortly after made governor of the Castle and Towne of Berwick, a peece of most high importance, And most likely out of the humor of the Scots, nowe highly elevated, to bee first attempted, whereby appeares the mistake of Hollingshead in his chronicle, sayinge, That amongst many thousands of English slaine at this battle, this Lord Maurice Berkeley was one. |

This lord Thomas thus a prisoner, (whom Hollingshead by an other mistake calleth Maurice,) procureth the redemption of his sonne Thomas And dispatcheth him into Gloucestershire and other places for raysing of money for his owne redemption, which hee foe effectually labored, (this Lords Tenants by their benevolence aydinge therevnto,) That in the yeare followinge hee came to Berwike, where hee found the Lord Maurice his eldest sonne newly placed governor ; And after to Berkeley Castle ; towards whose redemption, his Copyholders in Portbury gave a benevolence of xxiiij^s xij^s iiij^d

Neither did hee afterwards neglect the redemption of such of his meniall knights and Esquires as were taken prisoners with him, all whose freedoms hee procured within three yeares after.

The household and forraigne Accompts of this Lord in the Seaventh yeare of the kings raigne, reveale a marvellous vnwillignes in him to this Scottish warr ; dispatchinge many letters and messages to the kinge and other Lords and favorites about him for excuses ; **O**ne whereof was (noe doubt) his great age of threescore and eight yeares, dispensing, wth Armes and travell, A course at other tymes rather practised in ye contrary ; **W**hich casteth mee vpon the Consideration of many antient observances, That oft tymes before greate alterations, either in kingdomes, estates, or great families, (the greatest and onely misfortune of this great wife Lords life) mens harts by a secret and vnknowne instinct of nature, misgive them, like as the

Walsingham
fo : 106.

Rot: Scotiæ. 8. E:
2 m. 7 in turre
londini.

Hillar: rec: in
Scēio 6: E: 3.
cūm reū thesaur
rot

Hollings: fo: 322.

217

See Holligs: 322.

comp: de wotton
8: E: 2. et de
Portbury. 7. E: 2.
in Castro de Berk:

Comp: de wotton
13: E: 2. in Castro
de Berkeley.

Comp: de Portbury
7. E: 2. in Castro
de Berkeley et
divers. al:

Sea

Sea, without wind, will swell of it' selfe before a tempest arise ; **O**r were it out of the frute of his age, (for tyme makes all men wise that observe it), prefaging ill Successe, either out of the kings weakenes, the discontents at home, the feare or observation of forrayne practises, the pride & authoritye of Strangers drawne from Gascoigne and other forraigne parts, to this Journey or whatsoever els ; **B**ut beinge in the ende chardged to come armed in fide et homagio quibus regi tenetur, **218** vpon his homage and allegiance, hee went (as also did his said | fonnes) ; yet most sure it is, That very vnwillinge hee was, And vnwillingnes to a Journey hath bene often noted as a secret Oracle of evill adventures, as here is proved.

H: Boetius.
Bucchanon.
Tho: de la Moore
in vita E: 2.
Stow: anno: 1313,
pag: 216. in
Howe in folio.

This doubtlesse was the greatestt battle that ever was wonne by the Scots, whose writers say, That our Edward the seconds Army did consist of one hundred and fifty thousand horse, and of as many foot: And though this may seeme great exaggeration, yet our English Annalls testifie, nunquam magis splendidus, nobilis et superbus Angloꝝ exercitus visus ; That never before was the like preparation, pride and cost of warre, The foldiers even the night before the battle, bathing themselves in wine, castinge their gorges, cryinge, shoutinge, vauntinge confidinge, in their forces, as invincible.

liber in Scōio
cū rem: thesaur.
nomina villarū.

About the tyme of this Lords returne from Captivity, the State for the generall, hee for his particular, proceeded in an husbandry of like resemblance ; The kinge in the Nynth of his raigne caused by Inquisitions taken in all the Shires to be compiled that booke called nomina villarum, wherein are exprested the thirty hundreds of Gloucester, whereof the hundred of Berkeley is one ; whereof (saith the booke) Thomas de Berkeley th'elder is Lord, And that therein are twoe Burrowe Townes, Berkeley whereof the said Thomas is Lord ; and Durfeley, whereof John sonne of William Berkeley is Lord, And the village of Newinton, whereof the said John is lord, Hame, Came, Wotton, whereof the sayde Thomas de Berkeley the elder is Lord : Beverston and Kingesweston, whereof John ap Adam is Lord : Hull, whereof John Fitz Nicholl is Lord : Almondsbury and Asheleworth, whereof the Abbot of St: Augustines by Bristoll, is lord : **A**nd this lord made exact surveyes, terrors, and Rentalls of all his Manors, as his improvements then stood, comprehendinge both demesnes, services, customes, rents, and workes of his Tenants which were more Comodious to his particular, then the nomina villarū of all England was respectively to the kings ; some of the broken parts of which Surveyes, yet remayne in Berkeley Castle ; **H**owbeit the power of tyme, that tumbleth downe what the Cannon cannot destroy, **A**nd the new fashions of

of Lords husbandries, and | the incroach of Tenants vpon their Land lordes, have 219
foe varied them in their length of dayes, that they seeme of a Courfer mold, then
at their first casting they were.

But the troubles of State suffered this Lord little to rest vpon any husbandry
or other delights of life ; for immediately almost after his returne, the kinge, the
thirtieth of June in the end of the viijth yeare of his raigne, then at Berwike,
writes to this Lord to bee with him at Newcastle vpon Tyne in the feast of the
Assumption of our lady, (the fifteenth of August followinge,) withall the strength of
horfe and foot that hee could make : Whether hee went or not, I finde not, or
whether the Somons went forth before his release out of Scotland : But the Lord
Maurice his sonne was in that warre and foe worthily conceived of, as that the same
yeare hee was made governor of Berwicke, as in his life appears. Rot : Scotie : 8.
E : 2. in dorfo. Rot : predict. m : 3.

The xijth of May in the Nynth of his raigne, the kinge writes to this Lord and
to the Lord Maurice his sonne, That whereas the twentieth of February before hee
had appoynted them with all their Stregth and forces of Horfe and foot to bee
with him at New Castle vpon Tyne in Quindena S^ci Johis baptiste, (the viijth of
July,) to withstand the rebellion and attempts of Robert de Brus of Scotland and
other Traytors his Complices ; Nowe for certayne Causes, hee deferreth that
assembly till the Tenth of August followinge, the feast of S^t Lawrance, And then
requires them not to fayle in that fayth and homage wherein they stand bound vnto
him. Claus : 9. E : 2.
m. 5. Rot : eod in dorfo.

The thirtieth of August in the sayd Nynth yeare, the kinge writes agayne to
this Lord, That for the better repreffinge of the Scots, hee, by the advise of his
Counsell, intends to winter in the North parts, And therefore willed him to Assist
him with all his power of Horfe and foot, And to bee with him in those parts by
All S^t next. And to returne to him in writinge by the bearer, what number
besides his owne perfon, hee would then ayd him withall. claus : 9. E : 2.
dorfo.

The twentieth of May in the Tenth yeare, the kinge writes to this Lord to
bee with him with his full power and Strength at New-Castle | vpon Tyne in
quindena S^ci Johis baptiste, to goe agaynst the Scots : claus : 10 : E : 2.
in dorfo. 220
eodem rot.

And the xvijth of June writes agayne to put of his cominge till the eleaventh of
August, the Morrowe after S^t Lawrance day. And lastly afterwards writes to him,
2 B hew

Rot. prædict. how that the Scots dayly put' the holy Church and his people vnder tribute, to his endles dishonor and of his kingdome; And therefore now being vpon his Journey to reprefs them, should not fayle withall his powre of Horfe and foote to come vnto him: The like was at each of the former tymes written to the lord Maurice this lords sonne.

claus: 11. E: 2.
dorfo:

Rot. prædict.

Rot: Scotie. 11.
12 13. E: 2. m: 4.
et. 12.
comp. rec: et
minist' in Castro
de Berkeley in
eisdem Annis:

The tenth of June in the xjth of his raigne (the parliament then ended somoned for Lincolne), The kinge writes to this Lord as in the last yeere, to be with him Armed, at Yorke at the feast of S^t James to resist the Scots, who had broken the truce contrary to the popes Comande: **And** a further day by second tres was shortly after given to him to be at Newcastle vpon Tyne; **The like** also was written to the Lord Maurice his sonne, who went' accordingly; As also did Thomas and Maurice the said Lord Maurice's two sonnes, whereby in this xijth of Edward the second, three generations of this family in lineall discent, were in the feild in Armes together, in defence and honor of their Country.

Claus: 12: E: 2
dorfo:

Rot. prædict:

At the parliament holden at Yorke in Aprill in the xijth of this kinge Edward the second his raigne, it was agreed, That a great Armye should bee rayfed, and to bee by Midfomer followinge at New-Castle vpon Tyne to goe against the Scots; **And** accordingly the xxijth of May followinge, the kinge sends to this Lord to p^rpare and come; whose cominge by twoe other writts is first put of, till the Feast of S^t James, and after till S^t Bartholomewe daye, And then to bee with the Kinge at Yorke, which was this Lords last somons and Journey.

Rot: prædict:
comp. prædict. in
Castro de Berkeley.

221

The like was written and sent to the Lord Maurice this Lords sonne and heire, which they performed: **And** thus it hath expressely appeared, That this Lord Thomas was 28 tymes in Armes in the feild in Severall yeares, in the service of the three kings wherevnder hee lived | whereof the three first were in the life of his father, the rest after; when els I have not found.

Claus: 14. E: 2.
in dorfo.

claus. prædict. in
dorfo.

The xxvijth of March in the fowerteenth of his raigne, the Kinge from Glouc. writes to this Lord Thomas and to the Lord Maurice his sonne to come thither to him the fifth of Aprill followinge, to advise for the quiet of the kingdome, what was fit to bee done, to appease all those Armed powers and men that were assembled in Wales, and in the Marches thereof, where then were made many congregations of foldiers &c. **And** the xijth of Aprill writes to them agayne from the same place, That he marvellts at the Assemblies of Armed men in all their parts, and of their giving

giving of way vnto them at least the not repreffinge and quietinge of them, And therefore nowe Comannds them that they keep his peace in their parts vnder the payne of forfeitinge to him all that they have or may forfeit., **And** tells them how, hee and diuers of his Nobles wth him, have ever bene, and still are ready to doe them Justice in all things, letting them knowe that if they doe otherwise, hee will not diffemble, but punish their disobedience, as to his regall dignity appertaynes; **At** the same tyme went out Comissions to the Sherifes of this County of Gloucester, and of Worcester, Hereford, Salop, & Stafford, to reprefs such vnlawfull Assemblyes.

Rot. p^rdict.
dorfo.

It feesmes the kinge and thofe about him, thought themselves scarce safe at Gloucester, foe many discontented Noble men and Comons beeing foe neere and round about; wherefore the xvijth of that Aprill the kinge hasts to Bristoll Castle; And from thence the xxith of the same Month, writes the third tyme to this Lord and his sonne the lord Maurice, declaringe that diuers malevolent persons doe endeavor to disquiet his people goeing vp and downe his kingedome fowing of lyes to his great scandall and rayfinge of his people into tumults &c. And therefore requires them not to beleewe them, but to reprefs them, and keepe his subiects in peace, and to endeavor all tranquillity &c.

Rot. p^rdict. in
dorfo.

The first of Maye followinge, the kinge then at Wallingford in his waye towards London, forbids Humfry de Bohun Earle of Hereford | and Effex, and Roger de Mortuo mari, to assault the lands of Hugh le Dispenfer the yonger, And him, theirs, which they mutually were in spoylinge each vpon other.

Rot. predicto
in dorfo.
222

The fifteenth of the same May the kinge somons his parliament to bee holden at Westminster on Midfomer day followinge, And twoe writs of somons are sent to this Lord and to his said sonne to be there, and to the other mutiners, lords also: **B**ut the sicknes or other indisposition of this Lord Thomas, hindred him from travell, then . 76. yeares old, And dyed at Berkeley the xxijth of July followinge, which endeth this longe title of his forraigne employments in warrs and Embaffes: **W**hat followed after theis troubles (nowe thus in dawninge) the life of the Lord Maurice his sonne will make cleere vnto his posteritye.

May: 14: E: 2.
1321.

His recreations and delights

This noble Lord being a man that slighted noe houre, or action of his life, was also serious in his recreations and delights, which vsually were of theis fower severall kindes. viz:

1. **First** in Armes abroad, witnessed by the former title of his foraigne employments in 28 Armies against the French, Scots and Welsh.

divers. comp̃
recept. et gardero: b:
in Castro de
Berkeley
temp: E: 1. et E: 2.

2. **Secondly** in Jufts and Turneys at neere twenty severall places, And where Turneyments were holden, more then twice foe many times; for it was in those stirringe tymes become almost a Monthly exercise in the dayes of Kinge Edward the first, and of his sonne King Edward the second, notwithstandinge the often proclamations those kinges and holy Church sent out against them: which this Lord though then in old age omitted not to followe, as longe as hee had health to ride, which declares the mould wherein his constitution was cast: **Of** which manner of Turneys I have formerly written in the title of the issue of the Lord Maurice this Lords Father, at one whereof held at Killingworth in Warwickeeshire, this Lords elder brother was slayne. |

223
Plurimi comp̃i de
Portbury, Hame,
Wotton, Slimbridg,
&c. temp: E: 1.
et E: 2. in castro
de Berkeley.
pat: 21. E: 1. m. 23.
claus: 20. E: 1. m: 2.

3. **Thirdly** in hawkes, hounds, and other doggs, which hee all his life solaced in; A number foe great, that it wold nowe bee deemed burdensome to a faire estate: **Yet** followed more by his sonnes and the knights and Esquires of his family then by himselfe: **His** later yeares in those sports imitatinge princes at great banquets, castinge an eye of honor vpon the dishes, and then turne away and tast none, yet with such respect, as noe circumspection was at any tyme with him omitted, that tended to honor or profit.

Mirth with thy labour sometyme put in vse,
That better thou maist thy labour endure.

4. **And** lastly in husbandries at home, wherein hee excelled all before him, as the title thereof hath formerly declared; A noble Lord that never seemed wearyed, though ever busied, as if Action had bene his nourishment; In such fort, sometymes in husbandry at home, sometyme at sport in the feild, sometyme in the Campe, sometyme in the Court and Councell of state, with that promptnes and celerity, That his body might have bene beleevd to bee vbiqitary: And his posterity will hardly beleve, that what this their Ancestor hath done, was by a man fezible, espetially to bee by foe weake an eye as myne discerned through the mists of foe many ages incurred since his death: whom if it were possible after the darknes of foe many dayes, to drawe unto the life, his posterity would see him to bee a man foe generally well put together in all imaginable Abilites, that the western Corner of this kingdome hath not brought forth a peere of his temper and perfection that histories have observed.

His

His purchases of lands

In this title I will bee short, the rather because his eldest sonne the Lord Maurice, whose life next followeth, was for the most part a Joynt purchafer with him : And for that his grandchilde the next | lord of his name (for whome I will reserve the glory of that title) comprehends them both : Here onely remembre a fewe of this Lords purchafes vfeull to his posterity, which cannot orderly bee cast into any other Corner of his history.

224

In the xxvijth yeare of Kinge Edward the first hee purchafed all the Lands of Henry de Midleton Lord of a part of the Manor of Portbury, which cost him two hundred and forty markes, whereby that Manor of his (together with the purchase which the Lord Robert his great Vnckele made of Salfo marisco) came to exceede the other Moytie of M^r Wake foe farre as at this day appeareth, whereof read also before in the life of the two first Lords and of the sayd Robert. To which deed of Midleton are nyne knights wittneses, and fower other Lords of Manors, all, but two, meniall fervants to this Lord and to the Lord his sonne, as divers accompts doe shewe.

Carta in Castro de Berkeley.

fol : [107]

comp : garderob.
temp : E : 1. in
castro de Berkeley.

In the xxxijth and xxxijth of Edward the first hee purchafed of Richard sonne and heire of S^r John Clifford and of Robert the sonne of Pagan (als fitz Payne) the Manor of Frampton vpon Seaverne adioyninge to his Manor of Slimbridge ; And the yeare after, in the xxxiiijth of that kinge, granted again the same to the sayd Robt and Isabell his wife one of the twoe sisters and coheires of Richard Clifford and to the heires of the body of the sayd Robert, vnder the yearly rent of twenty and twoe markes (then the utmoſt valewe that Manor would yeald) payable at fower feasts by equall portions, which rent is accordingly payd at this daye by John Arundle of Lanheron, sonne of S^r John Arundle, sonne of S^r John, sonne of S^r John, sonne of S^r Thomas, sonne of S^r John and of Katherine his wife daughter and coheire of S^r John Chideocke son of Sir John, son of Sir John Chideocke and Isabell his wife, daughter and heire of Robert Fitz Payne sonne of the foresayd Robert the sonne of Pagan als fitz Payne and of Ifabele his wife, the Conizees in the fyne of the xxxiiijth of Edward the first aforesayde, whereof read more in the life of Maurice the fifth : **Betweene** which John Arundle and the Lord Henry | the first, and George nowe Lord Berkeley and their Tenants and farmers concerning grounds newe gayned from, and leaft by the River of Seaverne, now called the new warth and new grounds, and the Comon Claymed theron by the Inhabitants of Frampton and Slimbridge, divers great and tedious fuites have bene continued from the

Carte in Castro de Berkeley.
fines in the faur : 31.
32. et. 33. E : 1.
Inq : 9 : E : 2. n^o 63.
comp : ministr : in
Sc^oio 3 : et : 4. El :
Gloc :
Inq : 3 : H : 5. p. m.
Johis Chideock.
Pat : 34. H. 8.
dat. 1. September :
Inq : 12. H. 6. n^o
38. p. m. Alino :
Chideock.
Inq : 19. E : 4. n^o 47
p. m. Katherine
Arundle.
Michis term : 14.
Eliz : rot : 72 : cū
reim the fau in
Sc^oio :

225

Inq : 2 : H : 7. p. m.
Tho : Arundel
militis.
In : 2 : H : 7. p. m.
Kath : mat :
Thome Arundle.

Seaventh

Inq: 2. E: 6. p. m.
 Johis Arundle
 Inq: 1 H: 7. pro
 Margt: fil: et
 hæred. Johis
 Chideock:
 Supervis: in Sc̃cio
 6: Ja: et in Cur.
 ward: 11 Jac:
 bill: in cam' a stella
 8 Jac: et in Canc:
 8 Jac:

Com: pleas
 banc: regis.

Carta in Castro
 de Berkeley.

Seaventh yeare of King James to this daye: which have produced Comissions of Survey out of the Exchequer, and Court of Wardes, with perticular maps, two decrees in the Chancery, five decrees in the Court of Wards, Trialls at Lawe both in Kingesbench and Comon pleas, Inditemēts in the Countrey, and bills for ryotts and other misdemeanors, in the Starchamber. The bookes and breviatts whereof, are, elephantini libri, a wholl porters burden; wherein I have longe had my vnprofitable part: The further narration whereof; (through the great expence thereby occasioned,) I take noe Comforte longer to contynue.

And by deed without date this Lord granted to the Abbot of S^t Peters of Glouc: ten Acres and a halfe of arrable land called manland in Bradstons feild within this Lords Manor of Hame, reservinge xij^s rent by the yeare at fower feasts for all services, for payem^t whereof the Abbot and Covent bynd their Manor of Lorwinche, for distresse as often as the same shall bee vnpayd; **The** rather in this place mentioned, becaufe the rent hath bene vnpayd for twenty yeares past, and wilbee lost, if not speedily lookt vnto.

Carta in Castro
 de Berkeley.

fol: [80r]

In the xxxiiijth of kinge Edward the first, this Lord purchaseth of the pryor of S^t Bartholomewes, a cheife rent of twenty five shillings per Anñ, goinge out of divers Tenements in Iron Acton, whereof read amongst the lawe suites of the Lord Henry the first.

carta in castro
 de Berkeley.

About the same tyme hee purchaseth of Wiffm Paynell knight, to himselfe and Jone his wife and to the heires of himselfe, all the rents and services of his freeholders and villaines with theire Sequells, which hee had in Awre, together with the pasture called the warth in the other side of Seaverne, And the revercōn of the dower in Awre held by Jone late the wife of John Bohun. |

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 bundell finiū in
 Thefaur? 5: E: 2.

Carta in Castro
 de Berkeley.

In the fifth of Kinge Edward the second, this Lord purchaseth by fyne divers lands and Tenements in Hame, of William de Prydy.

In the eighth of Edward the second, hee purchaseth certayne Lands in Kingescote of Peeter Stinchcombe which in the viijth of King James, were Alyened by the Lord Henry the first. The rest which were many, I omit, for the Causes formerly mentioned in the head of this title:

His Suites in lawe

Rec: in thefaur:
 Sc̃cij: 4. et 8. E: 1.

Against this Lord Thomas and Joane his wife, kinge Edward the first in the viijth yeare of his raigne bringeth a writ of Quo warranto, to fet forth by what title they

they held the Manor of Bedminster and the three hundreds of Bedminster, Portbury and Hareclive, with their liberties in the County of Somerset, (occasioned by the presentm^{ts} made against his father in the fourth of Edward the first before mentioned,) who justify under a feoffment to them made by the Lord Maurice his father: whose being present, avowed his Deed, and justified the holding and vsf, by the grant of King Henry the second to his greater Grandfather Robert Fitz-Harding; Adding that before that tyme also, the said hundreds had bene the inheritance of the Earles of Gloucester tyme out of mind, and antiently appertayned not to the Crowne of England, making thereby the grant of King Henry the second, but a confirmation of former purchases from the said Earles; **And** afterwards was an Inquisition returned of all such liberties as belonged to the said hundred of Portbury and the Leet thereof; which is an excellent Record, And became a peacemaker in my dayes betwene the Lord Henry Berkeley and M^r John Wake, who for his Manor of Clivedon calumniated the fame.

Rot: Ragein 4.
E: 1 in rec: S^cij.

fol: [132]

Escaet. in tur^r
london. 12. E: 1.
Somerfet.

Carta exempli in
Castro de Berkeley.

The like writs of Quo warranto, the same kinge Edward the first in the nyenth and xiiijth yeares of his raigne, brought against this Lord Thomas concerning the liberties hee claymed within the Manor of Durfeley in his hundred of Berkeley, wherein before Solomon de Ross | and his fellow Justices Itinerant, the Jury at Gloucester Assizes found that the Ancestors of this Lord, in the tymes of King John and of Henry the second, vsed, That if any Theeves were taken either in the Court or in the Towne of Durfeley to bringe them the same daye to the Castle of Berkeley, if the day sufficed, and there they were accustomed to receive their Judgment, and to have iustice executed vpon them; **And** if that day of their taking sufficed not, Then to bee brought vpon the morrowe after to the said Castle.

Rec: in recept^u
thesaur: S^cij 9: et
13. E: 1.

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Within the like writt of Quo warranto, was this Lord also pursued in the xvth yeare of the said Kinge Edward I. concerning his manor and hundred of Berkeley, and for the markets, fayres, free warren, and other liberties that hee claymed therein: whereunto hee pleadeth all the old Charters of Kinge Henry the second, and of Kinge Richard the first, and of Kinge John, and of this kinge Edward the first, more particularly then in any other record: **As** that hee hath free warren in the Townes of Berkeley, Hame, Clapton, Bevington, Pedington, Stone, Swonhungre, Wanefwell, Egeton, Alkington, Newport, Woodford, Swanley, Wike, Hineton, Pockhampton, Came, Hurst, Kingston, Gosington, Stinchcombe, Stancombe, Cleyhungre, Matefden, Cowley, Hullmancote, Slimbridge, Wotton, Simondfall, Combe, Wortley, Bradley, Nibley, and Birchley: **But** in the Townships of Beverston,

Plita de quo warr:
corā Justic: itine^r
in Com Glouc: in
thesaur: recept. 15.
E: 1: rot: 12.

Beverfton, Aylberton, Kingewefton, Hill, Nymesfeild, Horfeild, Filton, Almondefbury, Cromhall, Afhleworth, Durfley, Vley, Kingefcote, Owlpen, Newinton, Owfelworth, Huntingford, and Arlingham, hee claymeth noe free warren, though all the fame bee within his hundred of Berkeley : **Of** which and other his liberties there, I fhall more largely write in the life of George Lord Berkeley, when I come to mention the largeft of all grants of liberties, obtayned from King James in the xiii^jth of his raigne by the Lady Elizabeth Berkeley his Mother and guardian, comprehending all liberties granted by former princes, with ample enlargements,

Rec : in thefaurar:
recept : Scij. 15.
E: 1. plita et affifa.

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Amongst which claymes of liberties, is a notable presentment of the Jury at Gloucester in the fame fifteenth yeare of kinge Edward the first, before Wilm de Saham, and other his fellowe Justices Itinerant, Howe one John Wayfer a felon was taken by the Baylyes of | this Lord Thomas within his liberty of Berkeley, vpon fuspition of stealinge an Oxe in Wiltshire, brought to the sayd Castle and there imprifoned for eight dayes, And how Adam Still Constable of the Castle, John Greel porter, and John Dun fervant to the sayd Constable, the vnder Gaoler, W^m the Gardner, and some others, hanged him in the prifon of the sayd Castle without iudgm^t! **And** becaufe the sayd Robbery was done in Wiltshire, whereof they in this liberty of Berkeley in the County of Gloc : could take noe cognizance or knowledge, therefore the sayd Justices seized the sayd liberty into the Kings hands, & awarded to the Sheriffe proces of distres to compell this Lord to appeare and shewe by what warrant hee claymed to have a prifon within his Manor of Berkeley and a liberty, as aforefayd : Whereupon this Lord iustificeth to have Infangentheefe there, and to doe iustice vpon fuch theeves as were taken in the fact or at the purfuet of others whose the stollen goods are : **But** of those felons whoe are taken by inditement at his viewe of frank pledge, hee claymeth noethinge, but the sendinge of them by his Baylyes to the kings Comon gaole of the County Whereupon his sayd liberty is agayne restored vnto him. **And** also vpon tryall, the sayd Constable, Jaylor, and the rest, were found not guilty of any Offence, becaufe the sayd John Wayfer the felon hanged himfelfe in the sayde Castle ; And for that the said Wayfer was apprehended at the fuit of Simon Aldrington, whoe Ow[n]ed the sayd Oxe, to whome the fame was restored.

At the end of this record, is a presentment of an other nature against the Lord Thomas before the sayd Judges, That vpon a new Custome rayfed by him, hee would not permitt any free mans widowe to marry agayne at her pleasure, vnles shee first made fine with him ; And thereupon tooke of Alice the widowe of John Scay two markes in money becaufe shee maryed her felfe to one Wilm of Combe without

without his licence and good will, Ideo ad iudicium de eo, sayth the record, And foe remayneth: **But** the length of this Lords dayes for thirty five yeares after, with the Constancy of his Actions, foe setled the Course of widowes estates to forfeite vpon mariage or incontineney, (if the sayd presentment bee of copyhold lands,) That they foe since in all the Copihold estates of this Barony and Manor of Berkeley have remayned to this day **And** the better at this tyme to | establishe 229 them, (being somewhat moved as it may seeme with this presentm^t.) hee caused to bee made, Rentalls, and other rolls of all his Manors, contayninge the Customes, workes and services of each Copiholder, of a yard land, halfe yard land, farrundle, and Cotterell, some of which remayne to this daye in the Castle of Berkeley: **But** I rather thinke this presentm^t was of the widowes of freeholders holdinge of this Lord by Knight Service, as is in the kings case, of Widowes endowed of lands holden of him at this day.

In the xvijth of Edward the first, this Lord impleaded by his writ of entry before the kings Justices at Westminster, the Bishop of Ely and Richard Clifford for a messuage and Carucate of land in Erlinghā which by agreem^t was thus ended, That this Lord should hold the same till Michaelmas then after, And thenceforward the Bishop and Clifford should hold the same for their lives, And after to remayne to this lord and his heires: **This** land they claymed by a deed from Maurice this lords Father, wherein the sonne findinge an hole, crept in at it, to the regayninge of the land.

Carta in castro
de Berkeley.

For the endinge of those Controversies, which in divers of the kings Courts were dependinge betwixt this lord and the Abbot of Kingeswood, it was agreed, That the Abbott and his Successors should for ever find a fould of two hundred and twenty sheep vpon the land of this Lord and of Maurice his sonne at Symondfall, from the third day of May till the first of November yearly, (three dayes for shearing of those sheepe onely excepted;) **But** if the Abbot had noe sheep vpon the lands of their granges of Edge, Ofellworth, and Caldecote, by reason of rot or other vrgent necessity; Then for that tyme, The sayd Abbot not to find that fould: **And** further if it happen their pasture of Symondfall to beare above . 800 . sheep of this Lords and his sonnes and their Tenants, Then the Abbot not to find the sayd fould, till that number bee diminished.

Carta : 31 : E : 1.
Castro de Berkeley.
See fol : [152]

This lord havinge in part of his wives mariage portion, the Advowson of the Church of Coston in the County of Leiceſter, Edmond the kings brother made title thereunto :

Regist : Lincolñ
5 : E : 1.

thereunto: Howbeit this Lord and Joane his wife recovered against him vpon tryall, And accordingly in the fifth of king Edward the first presented theire Clarke, As by the Register of the Bishop of Lincolne of that yeare, reciteinge both the suite and the kings writ to give them possession thereof, appeares.

Rot: quo. warr: et
affis. 5. E: 1 in
recept Scij:

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In the fifteenth of King Edward the first, Henry Berkeley of Durseley brought against this Lord and others, an Affize of Novell disseisine for | lands in Came, but was amerced for not prosecuting. **T**he like did Elias Botiler for Comon of pasture in Slimbridge, who also was amerced for not prosecuting.

Affis: predict:
rot: 31.

At this tyme also this lord profecuted with many processees, Walter Meffor his bondman, and nowe a fugitive, in a plea de nativitate, of bondage, who could not bee brought in.

Plita iur. et affis,
corā Wiſſo de
Saham ap^d Gloc:
15: E: 1. rot: 3
in dorſo in theſaur.
Hillar: 15. E: 3.
rot. 54 coram rege.
Paſch. eod rot: 82
Mich. eod rot: 71

et 83.
Mich. 16. E: 3.
rot: 28.
Paſch: 17. E: 3.
rot. 39.
Hillar: 19: E: 3:
rot. 87
Paſch. 19. E: 3.
rot. 19. all coram
rege.

Powe also was tryed an Affize betweene Allured of Kingeston in Slimbridge parish and John sonne of John Acton and others, wherein appeares howe the lands there in question were first held of Thomas this Lords grandfather in villenage, And howe afterwards both the lands and the person of the said Allured were manumitted; And after that, happened the wardhipp both of the lands, and of Robertt sonne and heire of Richard de Kingeston sonne of the said Allured; havinge created a tenure, To hold of him by knight service; which are the lands called Rivers lands at this daye scattered into many hands; whereof seaven or eight wardshipps have profitted this family in my tyme, to the valewe of the inheritance of theis lands at the least: As in a booke by mee made appeares.

liber manuſc: in
pergā de wards et
relevis in caſtro
de Berkeley.
Plita p^dicta
rot: 29.
See after in the
life of Maurice the
sixth.

A like Affize was then also tryed betweene John de Salfo Marisco and Richard De la more, for the Manor of Hañam in the piſhe of Bitton, whether the tenure thereof was in focage or by knight service; wherein is pleaded a feoffment of that Land made by Robert Fitz Harding, (which I thinke was by Maurice his sonne,) to Robert de Hannam, And a tenure by Knight service reserved, which Robert de Amneville father of Petronilla de Vivon, and of Petronilla de Amneville; To which Petronilla de Amneville the same was allotted in partition, who thereof enfeoffed the said Richard de la More. **J**ohn replied, That the Manor is, de honore de Button holden in focage, but the Jury find the tenure to bee by Knight service; And the rather, say they, because the sayd Manor of Hannam is de Baronia de Berkeley, parcell of the Barony of Berkeley holden of the King by k^t service.

Baronia:

And

And the fame tyme were also fuits depending betwixt this lord & John de Brett for feaven Acres and a halfe of land in Pockhamptō in Hinton, and Gilbert Espeter for lands in Berkeley: which I paffe by. |

Against this Lord doth Peter the sonne of warren and Jone his wife daughter and heire of Alienor de Hame, bring an Affize for part of one of his Mill ponnys, which Maurice this Lords father forcibly had cut and tooke awaye being parcell of their land: This lord pleads a discent thereof from his father, and the contynuanee of his owne poffession, And that the fame is noe impeachment of their waye in cominge to their other lands as they alleadged: And foe it resteth.

The fame Peter and his wife bring against this Lord two other Affises of Comon, which the Lord Maurice his Father by inclosures did disseize them of in Hame. This lord takes advantage vpon error in the viewe, and so barreth their sute. **W**ith this and some other discourteous suites this lord was foe offended, That against this Peter he sets on a Quo warranto in the kings name concerning divers liberties hee claymed in Wickstowe, (part whereof is now inclosed in Newporte, as Catgrove and the lawne adioyninge :) Peeter in defence pleads a Charter in the xliijth of Kinge Henry the third; Howbeit iudgm^t was given for the kinge and the liberty refused, becaufe hee was not heire to Glastover the grantee; but came in as a purchaser.

Richard Mecocke servant to this Lord, tooke Wilm Goyll with his net catchinge hares in his Masters Wood, whom with an arrowe he killed; His lord for continuinge of him two yeares after in his service, is somoned to answere And the said Richard is outlawed for felony, not nowe appearinge.

At this Affise also by the Jury of Berkeley hundred, are many presentments made agaynst the Baylyes of this Lord, for divers wrongfull imprifonm^{ts} and setting in stocks both men and weomen without cause, and for releasinge some offenders for money, and permitinge some others to escape, aswell in this lords tyme, as in his fathers, which I also pafs by.

Richard Hayward accused about a stolne peece of blew cloth, affirmed that hee bought it of Margery wife of Raph Slipp, which in the Court of this Lord in Radclivestreet shee denyed; Whereupon the freeuters there gave iudgment vpon his life, and forthwith hanged him, without any tryall by Jury, against the lawe and custome of England, for which false Judgem^t, the sutors were now fined forty shillings.

extraCt : itineran^t
15. E : 1.

Here also at this Assises was this lord fined twenty pound, and also five pound for an escape of Julian Estmead out of his Castle of Berkeley, and other the like, which I also pass by. |

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claus : 15 : E : 1.
m : 4. 5.

Edmond Earle of Cornwall then Regent of the land in the kings absence in Gascoigne, by advise of his Councell, the twentieth of June in the fifteenth of Edward the first, directed a Comission to his Justices Itinerant then in their Circuit at Glouc; comaunding them that if this lord were not convicted of the offence, whereof before them hee was indicted and comitted to prison, That they should accept of twelve knights and other good men for his bayle body for body to render himselfe prisoner agayne at the kings comaund, and soe deliver him, with a mandate also to the Sheriffe at the same tyme to deliver his sayd prisoner in bayle as afore-sayd : **The** cause I finde not.

pat : 33. E: 1. in
dorfo

claus : 11 : H : 3
pars. 1. m : 20

claus : 32. H : 3

Maurice eldest sonne of this lord had by the grant of his Father (amongst other possessions) vpon his marriage sixteene yeares nowe past, the Manor of Bedminster by Bristoll, with the street called Radeclivestreet adioyninge thereto as a member of his said Manor; which street by the Mayor and Inhabitants of the City of Bristoll was reputed as pt of theire City, And as farr as the vnited wisedome of a great Corporacōn could extend, had obtayned of the Crowne to have it severed from that Manor and County of Somersett, and to stand vnited to the City as divers records doe declare : **This** Maurice (then whom a more Martiall knight and of a more daring spirit of the age of 24 yeares, the kingdome, nor scarce the Christian world then had) held himselfe, and much more the lord his Father, incroached vpon, and partly therby disinherited, and espetially in the liberties and regalities which they claymed, and had long vsed to have therein; And about which many former questions and quarrels had arisen : Maurice havinge the tyme and Matter also (as hee supposed) nowe servinge addressed his petition to the kinge, Shewinge, That whereas his Ma^{tie} had taken him, his men, lands, and goods, and all hee had into his protection and defence whilest hee was with him in Scotland in his Warrs, inhibitinge all men, vnder his Seale, for doeing to him any damage or wronge : Notwithstandinge, Thomas de la Grove of Bristoll and 23 others, (which in the record are named,) and many other Malefactors and disturbers of the peace, called together | by ringinge of the Comon bell of Bristoll, in hostile manner, came to his Manor of Bedminster, assaulted and entred into and the doores and gates of his house brake, and his goodes to the valew of five hundred marks from thence did take and carry away, And violently refused one Robert of Cornwall attached by the

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the baylyes of him the sayd Maurice for the death of Joseph Winchelsea there slayne, not permitting him or his men or Tenants to hold Court or to doe fuit to his Manor of Radeclivstreet, nor to distrayne them for their defaults, nor him nor his, to buy or sell there, corne, victualls, or any other wares &c. **Whereupon** the kinge grants forth his Comission to Walter de Glouc. and Witm de bello fago dated the xijth of March in the xxxijth of his raigne, givinge them power and authority to enquire by a Jury of freeholders of Somersfethshire of the truth of theis matters, and to determyne the fame, And to punishe as they found cause. **What** was done vpon this Comission I find not.

pat: 33. E: 1. pars.
1. in dorfo. m: 9. 10.

But forthwith after, another petition was exhibited to the king against this Lord and the said Maurice his sonne, by persons worthy of Credit (sayth the record,) Shewing that they had vsurped to themselves, **fee** and dominion, aswell in the street of Radeclive, and in the Towne of Bristoll, As also in the water of Avone, And had with great multitudes of Hors and foot, enforced the Burgeesses there to doe fuit to their Court of Radeclivestreet, and had beaten those that refused; And drawinge many of the Burgeesses out of their houses that refused soe to doe, had cast them into a pit, And those wives and Maydes that came to helpe their husbands and mistresses, did in such sort soe cast and tread vnder their feet, that many of them were wounded and dyed: **And** afterwards meeting a bayly of Bristoll in Frampton vpon Seavern whoe defended the cause of the sayd Towne, soe assaulted and wickedly wounded him, That shortly after hee dyed **And** howe afterwards they came to Tetbury sayre, and there with an armed rout of people, tooke and beat all that were Burgeesses of Bristoll there found, and imprisoned | and most wickedly

ecodem. m. 10.

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And at the same tyme, was also a second petiçon exhibited to the kinge against this Lord and his said sonne S^r Maurice, by Adam the Cheefmonger a Burges of Bristoll, shewing howe this Lord, and the said S^r Maurice, W^m Parker, Clarke, and others,

membr. 10. p^rdict.

others, had assaulted him in his house at Bristoll, beat, wounded and dragged him from out of his house, and cast him into a pit &c.

mem : 10 predict.

Alsoe at the same tyme, William Randelfe late Mayor of Bristoll, by a third petition informed the Kinge, That this Lord and his said sonne vsurpinge to themselves **fee** and iurisdiction in Raddclivestreet which is in the Towne of Bristoll, had taken and beaten divers men of that Towne because they would not doe suit to their Court, nor appeare there. **And** that hee the Mayor defendinge the said men and burgeses, as hee ought, for the honor of his Ma^{tie} and according to his Office, the said Lord and Maurice his sonne, and 26 others (particularly named) at Dundry faire in the parish of Chewes in the County of Somersett, assaulted the said Adam the Cheefeman, and brake his legges in such pittifull manner that the Marrowe came out of his shinne bones.

lib : parliam^t : in
arce london : 33.
E : 1. fol : 107.

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And at the same tyme at the parliament which began the xvth of February in the sayd xxxiiijth yeare of the kinge, the then Mayor and Burgeses of Bristoll, exhibited their further petitions to the parliam^t, to have remedy of divers wrongs offered them by this Lord and | his sonne Maurice, setting forth, **Howe** that by reason of their Land which they have in the Streete of Radeclive in the Suburbs of Bristoll they have appropriated to themselves Fee and Jurisdiction there to the disinheritation and prejudice of the kinge and his Crowne ; And doe attach and distrayne the said Burgeses to answere before them in their Leets and Turns in Radeclivestreet and other Streets annexed, against the State of the kinge and of the said Towne : **And** moreover, because the said Burgeses have not suffered the sayd Iniuries, they have beat and evill intreated them, aswell within the sayd Towne, as without, soe that they have not bin able to goe out of the said Towne to followe their marchandizinge. **And** espetially they complayne and shew, That William Randolph Maier of the said Towne at Dundry fayre about nyne of the Clock, was by them and others by their procurement, beaten, and, turpiter vulneratus, filthily wounded resistinge the keepers of the said Fayres, wherby they could not give succor ; **And** likewise for that they did beate and wound Wilm le Lunge the kings servant as hee came from Glouc : towards Bristoll in the kings high waye ; **And** likewise for that they beate wounded and evill intreated Adam the Cheefmonger and William Brid twoe Burgeses of the sayd Towne, because they would not doe suite to their said Court, not ceasing to Continue and doe the like contempts, iniuries, and damages, in all fayres and marketts adioyninge : **And** for that they tooke away out of the said street certayne men indited of Robberye and there imprifoned

imprisoned, knowing their Offences before the Coroner, And with force and Armes carried them to their Manor of Bedminster, and from thence vnto Somerton where by people vnknowne they were delivered, as though they had bene honest men, **And** lastly that the said Maurice tooke distresses in their Shippes adioyninge to the River of Avone, where none can distrayne but onely the kinge by his Ministers, **All** which were done, say they, by this Lord and his sonne Maurice during the tymes the kinge was in his Warrs, whereof they pray remedy.

Ita responsum est, The answere of the Parliam^t, was this, faith the record. Rex vult &c. The king will, That twoe good and (fensati) found vnderstandinge men, together with the Constable of Bristoll Castle, | doe heare and determine the said Complaints, And if any difficultye arise whereby they cannot determine without the kinge, Then they shall make report at the next Parliam^t. 236

The kinge wills, That John de Bottetort, William Haward, and Nicholas Fernebrand Constable of Bristoll, bee assigned to heare and determine all the offences aforesayd in forme aforesayd.

And thereupon three Comissions were the vijth of Aprill in the fame xxxiiijth yeare made to them vnder the great Seale by direction from the kinge and his Counsell: into which also was put Peter Malore an other iudge, belike at the further request of the one party.

Thus were this Lord and his sonne rebutted with fower petitions in steed of their one.

What the sequell of this angry busines was, let the deed of this Lord Thomas inrolled in the Chancery dated the xjth of July the yeare following, tell in his owne words: **That** whereas his lord the kinge had pardoned him and Maurice his sonne and their men those offences, whereof before John Botitort and his fellowe Justices they were lately indicted in the County of Gloc., and for which before the kings Councill they were after fyned at one thousand markes, Hee nowe promisseth to serue the kinge in his present warre of Scotland with tenne Armed horsmen vnder his sonne Thomas or some other fit Captayne at his owne Charges against Robert de Brus and his Complices the kings enemyes, from S^t Lawrance day next, (Anno. 34. E: 1) as longe as the kinge shalbee in Scotland in his owne person: To the performance whereof, hee binds himselfe and all his landes, goods, and Chattells in England.

claus. 34. E: 1.
in dorso.

Heare

Pat: 34. E: 1. m: 14.
 Trin: rec: 5m rem
 thefauſ. in Scēio
 34. E: 1.

oblagacon yet
 remaynes in the
 Excheq. 10 August

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Hearr also the kinge himſelfe ſpeakinge in his pardon dated the ſecond daye of the ſayd July in the ſayd xxxiiijth of his raigne, That whereas dilectus confanguineus et fidelis noſter our welbeloved and faythfull Cozen Thomas de Berkeley and Maurice his ſonne and theire men were indited of divers miſdemeanors and Offences at Gloc: before John de Botitort and his fellowe Juſtices for which hee and they were after fined to one thowſand markes before our Councell **Notwe** for that hee is become bound by oblagacon to ſerve vs with ten Armed horſmen in our warrs in Scotland from Saint Lawrance | day next at his owne Charges, vntill wee enter into Scotland, and thenceforward whileſt wee ſhall bee there perſonally, Therevpon wee pardon & releafe to him and them thoſe offences and the ſayd one thowſand markes.

In which pardon the word (Cozen) from the kinge to this Barone makes mee alſo conceive the rayther, That his Mother the Lady Ifable in whoſe right of bloud fol. [163] the kinge ſoe called him, was his Father kinge Henries Neece of lawfull diſcent, and not baſe daughter of his brother Richard Kinge of Almaine, as before is touched in the life of the Lord Maurice this Lords Father.

And to avoyd a fraction in an entire buſines, heare a little more what followed carta: 4. E: 3
 m: 5. in the dayes of Thomas the third, grandchilde of this Lord Thomas the ſecond;

pat. 4: E: 3.
 pars. 1. in dorſo

In the fourth yeare of Edward the third, the Mayor and Burgeſſes of Briſtoll obtayned a Confirmation of all their former Charters and liberties, and amongſt the reſt, of the Charter of the xxxjth of Henry the third, That Radecliveſtreet ſhould anſweare vnto and bee within the Jurisdiction of the Burgeſſes of Briſtoll and noe where els: Whereat the Mayor and Burgeſſes, ſeeminge to take encouragem^t, gave the ſaid Lord Thomas by their freſh inſolencies juſt cauſe to Complayne to the kinge; **That** whereas hee had in certaine places within the Suburbs of the Towne of Briſtoll amongſt his Tennants and inhabitants there, the reformacon of the Aſſizes of bread and beere, pillory, trumbrell (ſic), and other liberties, That the Mayor and Baylyes of the Towne and Cominalty there by ringing of the Comon bell, aſſembled themſelves togeather, and riotouſly aſſaulted and wounded his Baylyes there, And with an Armed power deſtroyed the ſayd tumbrell and pillory; And tooke John Hind his Bayly, carryed him to their guild hall, and compelled him to ſweare not to execute any Judgements in the Courts there at any time after. **Wherevpon** a Comiſſion was ſent to three Judges of the land to enquire of the truth of the premiſſes by a Jury of the County of Glouceſter, and accordingly to Order the matter, dated the twentieth daye of Auguſt: what became further thereof, I find not, Save that the xxvjth of December followinge, the Mayor and Cominalty'

Pat. 4: E: 3 dorſo.

exhibited

exhibited a petition to the kinge to have the grant of a leet in exprefs wordes within theire burrowe, wherein | it seemes, this Lord had found them defective ; which in the yeare followinge they obtayned for the fine of forty pownds, takinge the advantage of tyme whilest the sayd Lord was in trouble about the murder of King Edward the second in his Castle of Berkeley, as followeth in his life.

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Pat: 5. E: 3. m: 13.

fol: [350]

His Almes and devotions

The Almes and devout guifts of this Lord to hospitalls, monasteries, chantries, and other the like Orders of religion, were honorable, yet carryed, accordinge to the coolnes of that age, with a hand lesse extended then his Ancestors.

One of the Abbots of S^t Auguſtines hath of him theiſe honeſt Engliſh wordes : This good lord Thomas Lord of Berkeley gave many yefts to our Monaſtery of S^t Auguſtines, As in plate, veſtments, and other ornaments to the valour of the plate —xxxij^{li}. iij^s. iiij^d. as it more largely appeareth in our mortilogge every thinge of his bequeſt. Thus the Abbot.

Newl: pedeg. et 2.
aſ: in Caſtro de
Berkeley.

Also by deed dated the firſt of June in the xxxvth yeare of king Edward the firſt, (wherein this lord cauſed Maurice his ſonne to Joyne,) they did, for the helth of theire ſoules and the honor of holy religion, confirme to the ſayd Monaſtery of S^t Auguſtines all the guifts and grants of Robert fitz Hardinge and other theire Anceſtors, with all theire rights, liberties, and free Cuſtomes uſed, or not uſed: And further granted a veiw of franke pledge of all the men and Tenants of the ſaid Abbot and Covent aſwell free as villaines in all their Manors and lands within the hundreds and Manors of the ſayd Lord Thomas and Maurice in the Counties of Glouc: and Somerſett; And that they ſhould have ſtocks, cage, tumbrell, pillory, Cuckingſtoole, and other Juditialls and caſtigatories, and executions of iudgments in all their Courts in their hundreds and Manors, except in the Towne of Berkeley, and to be altogether exempted from the baylies and miniſters of the ſaid lord Thomas and his ſonne Maurice and of their heires. |

carta in Caſtro
de Berkeley.
Aug: chartul: in
Caſtro de Berkeley.

colliftrigia
trebuchets.

To the Abbot of Kingeswood this Lord, for the welfare of his ſoule, gave fower Acres of land in Wotton neer vnto their Monaſtery and a quarr: of ſtone at Combe for the uſe of theire Monaſtery: And alſo confirmed the grants of Thomas de Aſhleworth and others, of divers lands in this lords Manor of Hame, To hold in pure Almes; whereto, Maurice, Thomas, and John, this lords ſonns, (then knights,) are wittneſſes.

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Carta in Caſtro
de Berkeley.
carta. 33. E: 1. in
Caſtro de Berkeley.

Carta in Caſtro
de Berkeley.

magna chartul.
fo : 293. in Caſtro
de Berkeley.

To the prior of S^t Bartholomewes hospitall in Glouc: and to the Fryars there, this Lord Thomas gave divers lands in Cowley; And also releafed to them all the rents and Services which hee had from them for theire other lands in Cowley holden of him. **for** which the sayd Prior granted that hee and all his Successors would euery yeare for ever on the feast day of S^t Ambroſe and on the Morrowe after, hold withall ſolemnnity the Aniverſary day of the lord Maurice his father and of the lady Ifable his Mother, in pleno choro ſuo in their full quire in their Monastery, in Maſſes, pfalteries, prayers, and all other benefitts and obſequies there vſed for the dead.

And further granted to performe the like for the Soules of himſelfe and the lady Jone his wife, and of S^t Maurice their ſonne once yearly after their feuerall deceaſes.

comp. de wotton,
Hame, et al^{is} man^{er}is:
temp: E: 1. et E: 2.
in Caſtro de
Berkeley.

To the fryars Minors of Glouc: and to the fryars preachers, and to divers other Orders of religion in Glouc: Briſtoll, and other places, this Lord gave yearly duringe his life, divers quarters of wheat out of the Severall graynaries of his Manor houſes, to a very large proportion.

Carta in Caſtro de
Berkeley. 32 E: 1.

The prior of Stanley and his predeceſſors were of old tyme accuſtomed of right to feaſt the Baylies and Tenants of this Lord and his Anceſtors dwelling in their Manors of Cowley and Came, every yeare in harveſt tyme; To the which feaſt, (to the wronge and greefe of the ſayd pryor and Covent, as they alleadged,) many did come ſayninge themſelves to bee the ſaid Lords ſervants, baylyes and Tenants, when they were not: Nowe this lord (I write the wordes of the Deed) out of his devotion to religion, pondering the great damage thereby done to the ſayd pryor, will not hereafter permit the ſame, And therefore hee and the pryor nowe thus mutually agree, That the pryor and his ſucceſſors in lieu of the ſaid feaſt, ſhall henceforth give to every Reeve and Bayly of this lords ſaid Manors .iiij^d yearly, And to every reaper of the ſayd pryors corne .ij^d And to every boy gatheringe vp the Corne .ij^d And to every raker .i^d ob., by teſtimony of the baylyes there for the tyme being, for ever every yeare: **Which** prory of Stanley was a Cell to the greate Monastery of S^t Peters in Glouc: |

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carta in caſtro
Berkeley. 6: E: 2.

Betweene which Abbot of Glouc: and this Lord and ſixteene of his free Tenants of Cowley, It was for the good of the ſaid Abbot and his Monastery, agreed, touching the Comon of paſture lyinge in Southfeilde, betweene Cowley and Froceſter, (a Manor

(a Manor of the said Abbots,) That the said Lord and his Tenants of Cowley and Hullmancote, (for the love of peace and avoidance of all controversies in tyme to come,) should peaceably comon withall their beasts, (out of the clofe of the sayd Abbot and his Tenants,) in meadowe, pasture and arrable land in the said feild in all places for ever, from lapleifbridg along barrowhills way &c. (boundinge the feild round about.) **And** likewise, howe farr the sayd Abbot and his Tenants should Comon, and where; And how either of the said two Lords and their tenants of their said Manors of Cowley and Frocester, might at their pleasure inclofe and keepe their grounds in fevralty. **Which** in this place, I the rather mention, in regard complaints of interruptions have come before mee by the Tenants of Cowley, as I have held the Courts of that Manor, And are like to kindle a suite hereafter, which the knowledge of this Deed will quench and determyne; both parts whereof remayne in Berkeley Castle.

Magn: Chart: fol: 296 in Castro de Berkeley.

This lord gave to Walter Simonds his Chaplen for the terme of his life, all the lands and Tenements in possession and revercōn in Came and Cowley which hee had purchasid in ffee simple of Margarett de Valers, togeather with his diet, chamber and lodginge, in his Castle of Berkeley To the end hee should in all duties and services devoutly and canonically celebrate in the Chapple of his Castell of Berkeley for the foules of Maurice his father, Ifable his Mother, and Joane his wife, and of his Ancestors and heires, and decently to keepe all the Ornaments of the said Chappell: for which alfoe, hee should have his part of the Offrings of the said Chappell with the other Chaplaines there: **And** this was the last pious Act I find of this Lord done a fewe dayes before his death.

carta. 14: E: 2. in Castro de Berkeley.

capella in Castro de Berkeley.

And (to conclude this religious title,) this in generall was this Lords practice, That in certayne festivalls of the yeare his Receiver or like Officer delivered, ad burfam dñi in minutis argenti, to this Lords purse, small peeces of silver, which at those feasts of Christmas, Easter, Whitfontide, and some others, hee liberally reached out vnto | the poore, **And**, at his Maundy, once yearly, clothed many poore people; And many of those Accompts shew vs this further faire frute of this Lords Charity, That each yeare almost hee pardoned and gave backe to many of the poorer fort of his Copihold Tenants in all or most of his Manors, a great part of those dayes workes which by the Custome of their Copihold estate they were of right to performe vnto him: **And** in yeares of dearth and Scarcity, loaned to many of them (not able then to buy) wheat' and other corne out of his grayneries, to bee repaid in like kinde after harvest, when perhaps, the price was not at halfe the value, as at the

diversi comp: temp: E: 1. et. E: 2. in Castro de Berkeley.

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tymes

claus: 17. E: 2.
m: 3.
cod. anno. m: 11.
comp: recept: et
minist'r diu'sor
maner. 2. 5. 9. 10.
E: 2. et al: in
Castro de Berkeley.

tymes of loaninge And for a further manifesta^on of his annuall and standinge Charitye to poore widowes, and men, within his Manors, in food and rayment for the lyves of those poore people, are the records and proofes marginally vouched, whereby they had restitution thereof from the kinge, whoe had seized the said Manors by reason of his sonnes rebellion, and thereby with-held the payments for two yeares.

Distrellaines, or various passages not aptly reduced under any the former titles

Rot: escuage: 31
E: 1. m: 1.

In the xxxjth yeare of kinge Edward the first, this Lord had his severall writts out of the Chancery to the Sherifes of the Countyes of Devoñ, Somersfett, Dorset, Berks, Wiltes. and Gloucester, to leavy to his vse escuage of those that held of him by knight service, and had not attended him in his voyages to the warrs.

Littleton ten: cap: 2.
Cokes instit: fo: 19
Cokes. 10. rep: fo
Plowden com: lo: Berkeleys
242
and Willons
cafe.
fols: [187. 188]

This Lord was present at the parliament called Westminster the second, holden in the xiiijth yeare of Edward the first, when the Statute of donis conditionalibus was enacted, soe remarkeable in all the volumes of the lawes to this day: The root of entayles, and the foundation wherevpon hee and the other great lords his Peeres in that parliament laboured to build vp their houses | against heaven, without any alienation by their issues, or forfeiture, or escheate; Removinge their greife by that lawe, That tenant in tayle after issue had, might alyen, contra voluntatem donatoris et contra formam in carta expressam, against the donors will and the very forme of his Deede; whereof I have somewhat before spoken and of the mischeifes it hath hatched, And much more will the Marginalls instruct. And was also present at the parliament called Westminster the third, holden in the xvijth yeare of that kinge, when the Statute of Quia emptores terrarū, (as remarkeable as the former,) was enacted, whereby those great lords mightily provided for themselves, their tenures, services, and profits, by settling the free services of their free holders; A lawe begun at the former parliament and nowe finished, as by the preamble appeareth: And theis great Lords havinge smarted by writs of Quo warranto questioning their liberties, (whereof I have formerly mentioned five brought against, this Lord for his part,) which because they could not prevent, they were loth to endure; This lord and the rest of his Peeres nowe also gayned vpon the Crowne by two Statutes, the establishm^t of their liberties and franchises; the ease and benefit whereof the posterity of this lord hath relished to this day: As also they further did in the thirtieth yeare of kinge Edward the first, by an accresse to the former, of Quo warranto.

See
before fol: [188]

And

And three yeares after the xxith of that kinge at the parliament then holden, at the instance of the Nobles, as the preamble shewes, was enacted that fevere lawe against trespasfers in parkes, warrens &c. whereby, (in this family,) was faved of late yeares, the life of James Harvey an vnderkeeper in new parke, who with a forker out of his Crosbowe slewe one Oliffe, As in the life of Henry Lord Berkeley fol: [811] is after to bee read.

And likewise was present in the xxxijth and xxxiiijth yeares of that kinge, when were made the husbandly lawes for meafuring of land, which holds to this day : And against amortizement of Lands, to hinder the vast growinge of the Clergy : And then wrested a pardon for refusing to paff over seas with the kinge in his warrs into Flanders, wth the denouncing of a curfe vpon the breakers thereof, as is formerly touched in this lords forraigne imployments. | fol: [210]

Many other I find to have bene the imployments of this Lord in other Civill affaires, not before mentioned vnder any title, for the govern^t of the Country, and determyninge of Controversies in divers Countyes, which most yeares hee vnderwent ; divers of the cheefe whereof, theis vouchers will direct his posterity vnto : viz: Paten : 26 . E : 1 . in dorfo / pat : 27 E : 1 . dorfo : / paten : 28 . E : 1 . dorfo : / pat : 6 : E : 2 . pars 2 . dorfo : / pat : 7 E : 2 . pars . 1 . in dorfo : / pat 9 : E : 2 . dorfo : / pat 10 E : 2 . pars . 2 . in dorfo . / And many of his Receivers and Ministers accompts in theis tymes in the Castle of Berkeley. 243

His Wife

This lord by the care of the Lord Maurice his father, about the xxiijth yeare of his age, and about the one and fiftieth yeare of the raigne of kinge Henry the third, what tyme Maurice his elder brother was livinge, tooke to wife the Lady Joane daughter of Wilm de Ferrars the yonger, Earle of Ferrars and Derby, and of Margaret his second wife, eldest daughter and coheire of Roger de Quincy Earle of Winchester, and of Ellen his first wife, daughter and heire of Alan Lord of Galloway in Scotland, in whose right hee was Constable of Scotland : which Joane was also sifter vnto Robert Earle of Ferrars and Derby, and of Wilm Lord and Baron of Groby. By her this Lord Thomas had issue that came to ripenes of age, fower sonnes and two daughters, of each of whom, as followeth in their places.

Hillar : 15. E : 4.
rot. 311. in banco.
Pasch : 16. E : 4 :
rot. 410 in banco.

The portion shee brought in mariage, was the Manor and advowson of Coston in the County of Leiceſter, which Robert her brother conveyed to her in tayle, whereto

magn : chart : fo.
351 in Caſtro de
Berkeley.

Antiq: liber em
Hen: Berkeley de
wimond hā
baronetto.
Carta in Castro
de Berkeley.

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Affis: apud Hunt-
ing: 56. H: 3.

diveſi com̃i in
Caſtro de Berkeley.

com̃i de Hurſt
et al. maner:
temp: E: 1. in
Caſtro de Berkeley

whereto the Earles of Wincheſter, of Glouc: of Leiceſter, and her vnckles Thomas and William Ferrars, were wittneſſes, **And** had alſo the manor of Eynesbury in the County of Huntington, which the ſayd Roger de Quincy Earle of Wincheſter and Conſtable of Scotland her grandfather, conveyed to her in fee ſimple before marriage, To hold by the fourth part of a knights fee; **And** had alſo that | part of land which after in partition fell vnto her.

Shee proved a vertuous Lady and great' hufwife, and a wife overſeer of ſuch houſehold affayres as were proper to her ſex and government, as many paſſages in the miniſters accompts of her huſbands Manors, and houſhold officers, declare: ſome of which doe intimate, That when ſhee came to theiſe ſarme houſes (as often ſhee did) to overſee or take accompt of her dairy affaires, ſhee oftentimes ſpent in proviſions at a meale there, the valewe of iiij^d and iiij^d ob. whereof allowance was afterwards given to the Accomptant before her huſbands Auditor at the end of the yeare: And ſometymes alſo a cheefe of two pound weight was at ſuch a tyme ſpent by her Attendants; **And** in ſuch huſwifely courſes this vertuous Lady ſpent a part of her aged and weake yeares vntill her death: **And** let none thinke this courſe of life a baſenes in this pious lady, derived either from her birth or praſtife: The noblenes of her birth adds a luſtre to all that ſuccede in her poſterity; And her praſtife, (wiſely weighed by the wife,) ſuch as may bee a preſident for imitaſcō. **That** Lady, that out of the vanity of her owne tumor, holds herſelfe debaſed by her inſight into her houſhold affaires, caſts herſelfe (with all wiſe men) into a lowe reputaſcō, and hir huſbands eſtate into a conſumption.

In choyce of wife, it ever much doth lye;
To mend our ſelves, in our poſterity.

And it was not the leaſt of this good Ladyes virtues, not to ſuffer her owne opinion of herſelfe, to exceed in her owne eſtimaſcō of herſelfe; Knoweing that moderation of ſpirit, which is our indifferent eſteeming of our ſelves with others, doth comprehend the very excellency of all humanity, being the moſt noble degree in our nature, and the very next to the dignity of grace: Neither is there any morall vertue which more comendeth this ſex to a generall eſtimaſcō, whereof this good lady is a pregnant preſident.

Carta in Caſtro
de Berkeley.

It appears by Divers Deeds that in the xxvjth yeare of Edward the firſt, and in other yeares, this Lady by hir deeds contracted with Richard de wike and others, as if ſhee had bene a feme ſole: And for her ſeale conſtantly uſed the
picture

picture of her selfe, holding in her right hand the Eschucheon of her Husbands
Armes, the Chevron without the Croffes, And in her left hand | the Eschucheon of
her fathers family, fircumscribed. S : Johannæ de Berkelai. 245

Shce was his love, his stay, his weale, his wife
His comforter, his other selfe, his life.

Her elder yeares were weake and sickley, part of whose Phisicke for her better
health, was fawinge of billetts and sticks, for which cause shee had before her death
yearly bought certaine fine handfawes which shee vsed in her chamber, which
comonly cost ij^d a peece.

Comp : de Port-
bury in Castro de
Berk. et alij comp.
ibm.

As winter steales the sap from tree and Flowre,
Soe death comes creeping nearer every houre.

Her phisitians were by the Journey of M^r James her sonne, fetched from
Oxford, whoe departinge in the evening from Berkeley, lodged the first night at
the Manor house of Came, where the horses of their Company spent a quarter of
Oates.

comp. de Came.
4 : E : 2. in Castro
de Berkeley.

Shce dyed the xixth of March . 1309 in the third yeare of King Edward the
second, and was buried in the Monastery of S^t Augustines by Bristoll, in the Arch
betweene the Vestry and the South Ile, after she had bene his wife, about 42 yeares.

comp : de Cam :
3 : E : 2. et de
Alkington. 4 : E : 2.
Newl : ped : in
CastrodeBerkeley.

And there her dust in pawne shall still remayne
Till when the world diffolves, her soule shall come agayne.

Christo duce et offa resurgent : **for** whose soule her husband that yeare and
in the next followinge, doaled ten quarters of Wheat and beanes in each of his
Manors to his poorest bondmen tenants to pray for her ; **And** twelve yeares after
layd downe his owne bones to rest by hers ; That as their two harts in life were
tyed together with an entire amity, foe after death theire two bodies might seeme
vnited in one vnity of Dust and sepulture.

Comp. de Alking-
ton. 4 : E : 2. in
CastrodeBerkeley.

His Issue

1. **Of** the mixt life of Maurice th'eldest sonne, I after write at large.

2. **The** second sonne of this Lord, was Thomas, whose worthines aswell en-
largeth, my pen, as for that hee is stock-father of that honored family | of the
Berkeleys of Wymondham in the County of Leicester, where his male posterity
flourisheth at this daye . Anno . 1628. M^r Vincent

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Berkeley of
Wimondham.

Vincent fo: 206.

M^r Vincent in his learned booke of the discovery of Ralph Brookes errors, (yorke herauld) printed 1622. hath thus: Wiltm de ferrars Earle Ferrars and Darby by Margaret his second wife had a daughter called Joane marryed to Thomas Lord Berkeley, who had by her Maurice lord Berkeley and S^r Thomas Berkeley of Wimondham in the County of Leicester, from whome S^r Henry Berkeley of Wimondham Baron^e nowe livinge, Anno. 1621. is discended, As appeareth very plainly by the book of S^t Augustines in Bristowe. Soe Vincent.

Rot: wallia: 23.

E: 1 m: 4.

comp. de Slim-
bridg. 25. E: 1. in

castrorde Berkeley.

pat: 24. E: 1. m:

19 bis.

rot: protect. 25.

E: 1. pars 2. m. 3

et 15.

pat: 24. E: 1. m.

10.

It hath already in the life of this Lord Thomas bene.touched, howe this Thomas, his second sonne, attended him in that martiall expediçō into Wales in the xxiiijth yeare of Kinge Edward the first, what tyme hee was not above fowerteene yeares old, when the extirpation of the welsh name was intended by this martiall kinge, **A**nd howe hee was with his said Father in the xxiiijth and xxvth yeares of that kinge at the warrs in Scotland, and at the seidge of Berwicke, where hee was knighted: **I**n which Scottish warre, this yonge knight S^r Thomas lost his horse, whose colour is in the Record described to bee, roucini favi cum capite albo et crista nigra: A Dun Curtall horse with a white head and black mane; The losf whereof the king the fifteenth of August in the sayd xxiiijth yeare recompenced to this yonge S^r Thomas with Eight markes estimated to bee the price of the horse, and with his knighthood also: **A**nd for cleering of my translation of those two wordes (roucini favi) not found in dictionaries; vnderstand, That roucinus is a borrowed worde, made latin, of the French word, roussin, which signifies a Curtall or stronge serviceable horse for the warres, And favi is made latin of the French word faune, which signifies a darke yellowe or Dun colour, And from thence, fauvea, signifies in that language, a Dun horse.

Claus: 25. E: 1

dorfo

rot: p^rdict. pars. 3

m: 2. et: 5.

Comp. de wotton

26: E: 1. in castrro

de Berkeley.

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It hath also bene touched, howe this S^r Thomas Berkeley, (for all records from henceforth soe stile him,) was with this Lord his father at the warrs in France in the xxvth yeare of the sayd kinge, & wintred in Flanders: **A**nd howe in the xxvjth and xxvijth yeares of that kinge, hee went agayne with his father into Scotland, in which first iourney was wonne the great battle of Faulkirke, where twenty thowfand | Scots were slayne; **A**nd howe hee was also with the said lord his father and with his elder and yonger bretheren in the xxvijth of that kinge, where also the yonge prince then was with the kinge his father, what tyme was the famous seidge and expugnation of the Castle of Carelaverocke, held inexpugnable; **A**nd in the Catalogue of the 87. banners then borne by those valorous Captaynes the bearinge of this S^r Thomas in his banner, is described to be, de goules od les rossets de

Original manusc:

cū: wiltō Neue

de Aflacton in

Co: Norfolk.

argent

argent, e'un cheveron de Argent, as the originall manufcript of that tyme hath it ; which as a difference nowe firft taken vp to diftinguifh amongft theis three bretheren, hath with litle or noe variation, continued in the pofterity of this fecond brother ever fince : **f**or modernly his bearinge is blazoned to bee, gules a cheuron betweene ten Cinque foiles : 4 . 2 . one, two and one, Arg^t

It hath alfo bene touched, howe hee was with the fayd Lord his father and brothers in the fayd Scotifh Warrs in the thirtieth and xxxith yeares of that kinge, what tyme the Englifh Army pearced quite through that kingdome and wintered there **A**nd alfo in the xxxiiijth of that kinge what tyme the warre was more blouddy towards the Scots then before, and the complaints of theire hiftories more rufull : And was agayne in that Scottifh warr with his faid Father in the xxxvth of the fayde kings raigne what tyme the kinge dyed there.

And laftly it hath bene touched, howe this S^r Thomas was in the vijth yeare of King Edward the fecond, at the great vnfortunate battle of Bannocks burrow, otherwife the battayle of Stryvelinge where the Englifh were overthrowne : whereat this S^r Thomas with his aged father were taken prifoners by the Scots, And howe after his owne liberty obtayned, hee furthered thee freedome of his Father.

It nowe behoves to caft an eye a litle backe into this knights age of puberty : In which hee much delighted himfelfe in Hunting the Deere, hare, Fox, and goat, wherein himfelf and his next brother John, would lye out in the feilds whole nights, in michaelwood thicketts, then floared with goates, and in the parts of Combe, and Owfelworth, then overaboundinge with foxes, as more largely followes in my description of Berkeley | hundred. **A**nd alfo in runninge at the ringe, with other Haftiludes or fpear playes, as the Accompts of his Fathers houfhold Officers doe call them ; **A**nd was alfo in his age of adolescence the prime Master of his Fathers Falconry : **H**is elder yeares were exercifed at Jufts and turneaments, a monthly exercife almoft in thofe ftrringe dayes vnder foe Active a kinge : Moft of his after-tyme was in the warrs againft the Welsh, Scots, and French, as partly already hath, and nowe followes to bee further related.

His great diligence for his fathers ranfominge and returne, feemes to have incited his fathers prefent fetling vpon him by feverall Deeds in the ninth, tenth, and xjth yeares of King Edward the fecond, the faide Manor of Cofton in the County of Leicefter, (except the advowfon,) And the faid Manor of Eynesbury in the

Rot: protect. 30 et
31: E: 1. m. 1. 7.
10.
Claus: 30. E: 1. m:
7.
Hollingfh: Stow.
Tho: de la More
et al: chron:

Comp. de Wotton
et Alkington.
diñus Annis
tempore E: 1.

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diuers: compⁱ
recept. et miniftr.
temp. E: 1. et E: 2
in Caftro de
Berkeley.

5 feuerall. cartæ
in Caftro de
Berkeley.

the County of Huntington, (wherevpon hee reserved the yearly rent of a paire of guilt spurs,) And the Manor of Wike neere Arlingham, and the Manor of Morecote, and divers other faire possessions in Morecote, Hardpury, and in the parish of Wotton, And ten markes yearly rent out of his fishings in Arlingham in the County of Glouc: with some others; which sitting soe farr off, and not ayded by the private evidence of this flourishing branch, I perfitly discerne not. One of which deedes in the xith of Edward the second beares date at Wymondham, whereby this Lord his Father, (then being there,) conveyes to him and to Ifabel his wife and to the heires males of their two bodies, the said Manors of Wike and Morecote, and ten Markes of annuall rent, rendringe to him one lamprey the last day of May yearly for all services. **At** what tyme, as I gather, this S^r Thomas then there maryed his sayd wife, being the daughter and heire of S^r John Hamelin Lord of Wymondham.

carta in castro
de Berkeley.

chartull : manusc :
cū Hen : Berkeley,
baronetto.

Carta in Castro
de Berkeley.
Finis levat : 12.
E : 2. in co : leic :

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finis in banco :
12 : E : 2.

And neer the same tyme, this Lord granted to Maurice his eldest sonne, the Services of the sayd guilt spurs, and such others as hee had reserved in his sayd Deeds made to this S^r Thomas : which Act of the old Lord father thereby to have an Attournement of the yonger brother to the elder, and the elder brothers acknowledgment and acceptance of those services from his yonger brother in the life of himselfe, (A like tender father to them both,) is | manifolldly remarkeable in soe wife a man, **And** thus settled, The next Michaelmas Terme in the sayd xijth yeare of King Edward the second purchafed to him and his heires, a messuage and a Carucate of land in Wymondham and Thorpe of John Charneles a freeholder there.

Rot: pat: 3. E: 3.
pars: 2. m: 17.

The last viewe I can take of this Martiall Knight S^r Thomas, is the xxvjth day of Octob^r in the third yeare of King Edward the third, the king then at Daventre in Northamptonshire, what tyme the kinge vnder his great seale dispensed with him from being made high Sherife or bearing any other office in the Comon wealth against his will, at what tyme this S^r Thomas was about .48 yeares of age.

Rot: obfid : Calefij
21. E: 3.
Pedegr: cū Edo
Coke capitā
Justic: Angliæ.

But whereas Learned Camden, Clarenieux, in a faire pedegree of this family of his owne collection, hath out of the roll of the beseegers of Calais, delivered, that this S^r Thomas was present thereat, with a Banneret, six knights, 32 Esquires, 30 Archers on horsebacke, and 200 Archers on foot vnder his Comand, where hee dyed; It is without all question a manifest mistake, And seemes to bee occasioned either by the Identity of the name, for it was either Thomas Lo: Berkeley the third of that name, or Maurice Berkeley Banneret, of whome the family nowe of Stoke Gifford in the County of Glouc: is descended; whoe also there dyed duringe that Seidge,

Seidge, as after followeth, both whom had there, the like numbers, as also in their lyves followinge appeares: And besides this S^r Thomas was dead before that Seidge, And his sonne S^r John Berkeley invested in his fathers possessions of Wymondham & the rest of his Manors and lands longe before: Of whose honorable estimation, I have also from record, somewhat to write as now followeth.

Rot. Franc: 20. E:
3. pars. 1. in dorso.

The said S^r John Berkeley sonne of the said S^r Thomas and Isable, the xxvth of June in the twentieth of Edward the third, was the kings sworne serviant in Ordinary, de retinentia domini regis, to attend his person in the French Warrs: And the xxvjth of August that yeare was at the remarkeable battle of Crefcy with the kinge.

Rot. franc: 21. E:
3 pars: 2 m: 18.20.

To this S^r John and his heires the kinge the fifteenth of June in the xxjth of his raigne granted to have free warren in all his demefne | landes within the Manors of Wymondhā, and Coston in the County of Leicester.

Rot. cart: 21. E: 3.
m: 13.
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This S^r John had to wife Elizabeth, And is often stiled dominus de Wymondham, and was longe tyme spetially employed in matters of the peace and governement of the Country, And in the five and fortieth of Edward the third was one of the knights of Leicestershire for the parliament that yeare holden, And in the xlvijth yeare of that kinge was high Sherife of the Counties of Leicester and Warwicke, And about the end of that yeare both hee and S^r John Berkeley his sonne and heire (then also a knight) went to the warrs in France with Edmond de Mortimer Earle of March: And dyed about the beginninge of Richard the second, as I conceive.

2. cartæ. 45. et 48.
E: 3. in Castro de Berkeley.
Rot. claus: et pat:
temp. E: 3. in turre london.
pat: 45. E: 3. ps: 1.
m: 20.
Rot. fin. 48. E: 3.
m: 6.
Rot. Franc: 48:
E: 3. m: 9. et 10.

John Berkeley knight eldest sonne of the sayd S^r John, is in the xvijth of Richard the second Leivtenant of the Isle of Gernefey. And in the xxijth of that kinge, high Sherife of the Countyes of Leicester and Warwick vpon the death of Adomarus de Litchfeild who dyed that yeare in his Sherivewake, whom this S^r John succeeded for the residue of that yeare And in the fourth yeare of Henry the fourth is one of the knights of Leicestershire for the parliam^t, And in the Seaventh yeare of that kinge is agayne made high Shereife of the said Countyes of Leicester and Warwick And dyed in the tyme of that kings raigne, whom Isable his wife survived, to whome Kinge Henry the fifth, the tenth of January in the third of his raigne granted a general pardon vnder the great Seale, And Lawrance his sonne and heire succeeded him in his inheritance, who shortly after was knighted.

Rot. Fran: 17.
R: 2. m: 6.
Rot. fin: 23. R: 2.
m: 1.

Rot: claus. 4.
H: 4. dorso.

Rot: pardon
2. et 3. H: 5.
m: 19:

This S^r Lawrance Berkeley had to wife Jone whoe are mentioned in a fine whereto they were parties in the fifth yeare of King Henry the fourth of divers lands

Fin: 5: H: 4.
Leic:

Claus: 3: H: 6. lands in the County of Leiceſter, **And** in the third yeare of Kinge Henry the ſixth
dorfo: (then a knight) was a ~ferty in three hundred pounds for S^r John Graa to bee of
pat: 14. H: 6. good behaviour towards his wife, **And** in the xiiijth of that kinge was ſpecially
dorfo. imployde to take muſters and to Arme Soldiers in the County of Leiceſter. |

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And in the xvijth of that kinge was high Sherife of the Counties of Leiceſter
fin. 18. H: 6. m: and Warwick, **And**, in the xvijth of that kinge purchaſed all Richard Orgers lands
21.
Rot. claus. 20. H: in Melton Mowbray, Oleby, and Scalford.
6. dorfo.

And in the xxiiijth yeare purchaſed all Wit^m Burgeis ats Meltons lands in
Rot. pardon: 24. Melton Mowbray aforeſaid, **In** which xxiiijth yeare hee had a pardon from the
H: 6. m: 32. kinge by the name of Lawrance Berkeley of Wimondham in the County of
Groſſi fines. 36. Leiceſter knight, late Shereife of the Counties of Leiceſter and Warwicke, **And**
H: 6.. dyed in the warrs in France in the xxxvjth yeare of Kinge Henry the ſixth leavinge
Efchaet: 36. H: 6. Thomas his ſonne and heire (knighted ſoone after the death of his father) to
whome in his life tyme hee had conveyed his Manors and lands in the Counties of
Leiceſter, Huntington and Stafford.

This S^r Thomas ſonne of S^r Lawrance, was in Comiſſion of the peace and
Rot: pat: 20. H: 6: publikey employed in his Country goverment, neer twenty yeares before his
pars. 1. et divers: father dyed; **And** in the xxijth yeare of Henry the ſixth ſowerteen yeares before his
al: death of his father, was high Sherife of the County of Rutland, **And** in the
fin: 22. H: 6. m. 9. xxxijth of Henry the ſixth three yeares almoſt before his fathers death was high
Rot. pardon. 24: Sherife of the Countyes of Leiceſt and Warwicke **And** in the xxxvjth of the ſayd
H: 6. m: 32 et 30. Kinge Armed. 226. Soldiers in the County of Leiceſter for defence of the king-
Fin: 33. H: 6. m. 22. dome, **And** the ſame yeare, as I gather, was knighted for that in the next after his
pat: 36. H: 6. m. 3. ſtile was changed, from Armiger, to Miles. **And** in the fifth yeare of kinge Edward
Fin. 39 H. 6 m. 3. the fourth was made high Sherife of Cambridge and Huntingtonſhires, **And** ſoe
fin: 5. E: 4. m. 7. alſo was in the xjth of that kinge for Rutlandſhire, **And** in the ixth and xith yeares of
fin: 11: E: 4. m. 5. Edward the fourth was ſpetially truſted to muſter and Arme Soldiers in the Counties
pat: 9 E: 4. pars 1. of Leiceſter and Warwicke, **And** the xiiijth of February in the ſayd xjth yeare, the
dorfo. kinge for his good and faithfull ſervice done vnto him, grants to him for his life
pat: 11 E: 4 pars 1. twenty markes yearly rent out of the profits of the County of Rutland.
pat: 11 E: 4 p. 2. m: 4.

It ſeemes by the full coherence of the records here marginald, That this S^r
252 Thomas was a very able gentleman, noe waye inferior to | the beſt of his Anceſtors,
and ſtrongly adhere to the houſe of Yorke, And had to his wife Parnell the
daughter of Wit^m Mountford **Whom** S^r Maurice Berkeley his ſonne ſucceeded,
who

who by Margaret his wife daur of S^r John Biron, had issue Thomas Berkeley knight and Elizabeth married to S^r W^m Hufsey cheefe Justice of England, from whom many great families of opulent possessions at this day clayme to bee descended. **Which** S^r Thomas Berkeley sonne of S^r Maurice first married Marg^t daughter of Thomas de Lamere, by whom he had noe issue **And** secondly married Petronilla daughter of Wiltm Brokesby by whome he had issue Maurice and Wiltm And dyed in the third yeare of King Henry the Seaventh.

proved by a Tomb
in Wymondham
Church.

Proved by a
tombe in Wymond-
ham Church

The said Maurice by Margery his wife daughter of S^r John Berrin had issue John, who died in his Minority the twentieth of October in the thirtieth yeare of Henry the viijth without issue, seaventeen yeares after his Father : And Elizabeth after married to Robt Pagenham Esq: who had issue [blank] Pagenham, father of Robert Pagenham that died in the xxxvijth yeare of Queene Elizabeth, father of S^r Henry Pagenham, that yet liveth . Anno . 1622.

William Berkeley second brother of the said Maurice dyed in the xxiiijth yeare of Kinge Henry the viijth leaving issue by Mary his wife daughter of Robert Bawd Esquier, Maurice Berkeley, and others.

The said Maurice eldest sonne of the said Wiltm, by Mary his wife daughter of John Hall Controller of Calais, had issue S^r Henry Berkeley of Wymondham aforefaid Baronet that now is, Anno 1628 . A true lover of his noble race, whose encouragements have much furthered theis Collections ; Nicholas Berkeley second sonne, yet also liveing borne 24 houres onely after the sayd S^r Henrye ; And John Berkeley who accompanied S^r Thomas Berkeley father of the nowe lord George Berkeley into Scotland vpon the death of Quene Elizabeth, And purchafed of him Vpton farme by Tetbury ; And shortly after dyed of the plague in Holborne in the second yeare of K James, 1604, leaving issue two daughters, both since dead without issu. The said S^r Henry Berkeley Baron^t, first married Katherine | daughter of Nicholas Beaumont Esquire, and widow of Anthonye Berron Esq: , and after married Elizabeth daughter of S^r William Myn of Ephsham parish in Surrey knight,¹ by neither of whome hee hath anye issue, And nowe travelleth in his great climactericall yeare of sixty three : **And** the said Nicholas is yet vnmarried, whereby if issue male faile in them, then is this noble houle bereaft of a mayne Arch and ornament, which for 300 and odd yeares by ten lineall discents in the male line, without any stayne of Attainder, it hath bene beautified withall.

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Anno 1629.

3. John

¹ Sir Henry Berkeley, created Bart. 1611, according to Sir Bernard Burke and Mr. Courthope, mar., first Mifs Myne and secondly Katherine da. of Nicholas Beaumont of Coleoverton Co. Leic., reliet of Anthony Byron, Esq., and, dying without issue, the title became extinct. We consider that Smyth, as a contemporary and from his intimacy with the family, must be regarded as the best authority. [ED.]

tre protect : 3.
34 : E : i m :
cartæ in Castro
de Berkeley.
Newl : ped : in
Castro de Berk.

3. **John** Berkeley the third sonne of this Lord was also a knight and divers tymes in the Scottish Warrs with his Father and Elder brother ; And in the xxxjth yeare of Edward the first tooke to wife one Hawisia. **But** whereas Abbot Newland saith, That from this S^r John is descended S^r William Berkeley knight then lord of Stoke, and consequently Richard Berkeley of Stoke Esquier that now is, 1622, great-great-great-grandchilde of the sayd S^r William ; It is not soe, neither is there any matter precedent, or subseqent whatsoever, to warrant the Abbot herein, but more then forty Deeds and records to the Contrary which are vouched in theis collections : for most certaine it is, That this S^r John dyed without issue in the tenth yeare of King Edward the second, And both hee and his wife lye buried in Wotton Church : wherein to give myselfe full satisfaction, and those noble branches true notice of the roote that gave them fapp, and from whom they are extracted, and hath cost me some labor : And how ever I reverence that Abbots memory yet truth bids me tell his dust, this is the tenth error, at the least, which I have refelled in his collections, And shall almost as many moe.

Magn : Chartull.
fo : 20 : in Castro
de Berkeley.

Ex orig : manufer:
cū wittmo le
Neve de Aflacton
in Com. Norff.

This S^r John vsed for his Seale the Cheveron and three crosses patees, circumscribed . S. Johis de Berkeley whose bearinge at the famous seidge of Caerlaverocke Castle aforesaid in the xxvijth yeare of King Edward the first, (whereat were both the kinge and his eldest sonne prince Edward,) in his banner, is thus described, Sire Johan de Berkleee, de goules a iij crois pates de or, e un cheuron de Arg^t The portion hee had for his livelode, were la Hame at Bradley | confirmed also by the Deed of his eldest brother, divers lands in Berkeley parishe, and twenty pounds Annuity by his fathers conveyance formerly mentioned. **And** when his brother James was invested with spirituall promotions, hee then granted to this John and his sayd wife by direction of their father, all such landes as himselfe had formerly bene possessed of by the severall guifts of his Father, and by other purchases in Egeton, Berkeley, Clapton, Hame, Came, Hurst, Wotton, and Durfeleigh ; All which the lord Thomas his father by Deed confirmed, wherto eleaven knights were wittneses, then of his meiny¹ or household servants.

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Cartæ in Castro
de Berkeley.
Cartæ. 31. et : 33.
E : 1. in Castro de
Berkeley.
Magn : chartul.
fo : 47. et 57
in Castro de
Berkeley.
Carta in Castro
de Berkeley.

Holwe

¹ This term is derived from the French *maisonie* or *magnie*, a family, troop, or the suite of a great personage, in low Latin *maisonada* or *mansjonata*, is very frequently used by old writers. Thus in the Wicliffite version, Job, I. 3. is thus rendered : "His possession was seene thousand of shep—and ful meche meyne" (*familia multa nimis* Vulgate) See further Prompt. Parv. "Meny"—householde. Halliwell gives "Meiny" a company of followers or household attendants, and says it is still in use in the North of England.

He had with him a *meyne* there,
As he had Ellys where,
Of the rounde table Knyghtes alle,
With mirth and joye yn hys halle.—MS. Rawlinson, C. 86. [Ed.]

Holue this S^r John and his wife rendred back their lives to him that lent them, A Deed of the Abbots of Kingeswood dated on wednesday after the feast of S^t Gregory, Anno. 1317. in the xith of king Edward the second, shall declare; whereby the Abbot and his Covent doe grant, That in recompence of the y^mense benefitts and large Almes (immenſa beneficia et largas elemosinas) given vnto them by the ſaid S^r John Berkeley and Hawiſia his wife, ſonne of the illuſtrious Lord Thomas of Berkeley lord of Berkeley, their ſoules ſhall partake of all eccleſiaſticall benefitts done and to bee then after done in their monaſtery; And that from thenceforth two Maſſes by two of their Monkes ſhall every day bee ſayd for their ſoules, and the ſoules of their fathers and mothers, and all their kindred; And alſo two other maſſes every Month, by other twoe Monkes in Wotton Church where now the ſayd John and his wife lye buried; **And** that the day of their deaths ſhall be written in their mortilog, And their Aniverſary dayes yearly obſerved, **And** that the Solemnities of their devotions ſhall in the Eve of their Aniverſaries bee begun by ſeven Monkes with, placebo, dirige, and all the ſpirituall collectſ: **for** performance whereof they bind themſelves vpon the perill of their ſoules, witnes the ſaid Lord Berkeley, whoſe ſeale the Executors of the ſaid S^r John did obtayne to uſe to this agreement: Thus the Abbotts Deed. |

2 cartæ in Caſt :
de Berkeley.

Magn : chartul.
p^rdict : fo : 20.

The age of this S^r John may bee gathered to bee about forty at his death, for that his father gave him, 32 yeares before, an hors which coſt five ſhillings when hee began to ride vpon the downes of Portbury: fifteene whereof hee was maryed, but leaſt noe iſſue.

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Comp: de Portbury
13. E : 1. in Caſtro
de Berkeley et al :

4. **James** the fourth ſonne of this Lord, was bred a ſcoller vnder the Abbot of Kingeswood five myles from Berkeley Caſtle; from whence hee went to the vniverſity of Oxford, where hee proceeded Doct^r of Divinity.

comp. miniſtro^r in
Caſtro de Berkel :
28. E : 1. et alij.

Hee was preſented to the parſonage of Chew in Som^rſetſhire which I thinke was his firſt promotion.

His next to the parſonage of Slimbridge in the hundred of Berkeley of his fathers preſentation.

Claus. 10 : E : 2.
dorſo.

Then to the place of a Channon of Hereford.

The twentieth of March in the xjth of King Edward the ſecond the kinge in his behalfe wrote a very gracious letter to the pope, callinge him, conſanguineum ſuum

Rot ; Romæ. 11.
E : 2. m : 12.

uum, et sacræ theologiæ doctorem, quem generis nobilitas, literarum scientia, et alia virtutum et meritū insignia multipliciter recommendant ; His Cozen and doctor of divinity, not more noble in blood, and excellinge in learning, than adorned with other virtues and good workes ; That his holines would gratioously heare his suite and assent theirto : And when the kinge from Rome was advertised by this James That his suit found noe foreward passage, The kinge the xxixth of July followinge, writes his second lres to the pope in his behalfe, pressinge his request the more earnestly, because hee was his Cozen, and withall foe learned and worthy a man.

This learned Doctor seemes not to have read Walter Mape, whoe in the next age before, wherein himselfe lived, had from his owne experience thus taught of the Court of Rome, And therefore sped thereafter. |

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Gualter Mapes
temp : Johis in
bibl : oxon.

Baleus, descriptor
Anglicanis cantur.
3.

In hoc consistorio, si quis causam regat,
Suam, vel alterius ; hic imprimis legat ;
Nisi det pecuniam, Roma totum negat,
Qui plus dat pecuniæ, melius allegat :
Romani capitulum habent in decretis,
Vt petentes audiant, manibus repletis :
Dabis, aut non dabitur ; petunt quando petis,
Qua mensura feminas, eadem tu metis.
Cum ad papam veneris, habe pro constanti,
Non est bonus pauperi, foli favet danti.
Roma capit singulos, et res singulorum,
Romanarum curia non est nisi forum.

Nor those of Robert Gostred, that godly bishop of Lincolne.
Eius avariciæ totus non sufficit orbis ;
Eius luxuriæ meretrix non sufficit omnis.

Nor those of Mantuan the Roman poet.

Bap : mantuan
ecloga. 5^{ta}

Si quid Roma dabit, nugas dabit, accipit aurum ;
Verba dat, heu Romæ nunc fola pecunia regnat.

If Rome give ought 'tis toys, it takes our gold
Gives vaine false wordes, now onely coyne doth hold
the sway at Rome, &c.

Nor

Nor thofe of the fame poet

Vivere qui fanctè cupitis, difcedite Româ.
Omnia cum liceant, non licet effe bonum.

Who would live holily, from Rome away,
You may not there be good, all els you may

Mantuan libr.
Silva†

Nor thofe of the fame Poet

I, pudor in villas, ſi non patiuntur eafdem
Et villæ vomicas, vrbs eſt iam tota lupanar

Pack modeſty to Townes, vnles (noe newes,)
Townes have ſome fores, the City is all ſtewes |

Idem in eodem

Nor thofe of Paſquill to Rome

Roma, vale, vidi, fatis eſt vidiffe; revertar,
quum leno, aut meretrix, ſecurra, cinædus, ero.

Oh Rome farewell, It contents mee to have ſeene thee
Returne I will, when baud, or whore, I meane to bee.

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In the xijth yeare of that kinge hee was made Archdecon of Huntington.

pat : 15. E : 2. m :
29.

In the xiiijth of that kinge hee was admitted to the prebend of Writlinge in the free Chapple of Haſtings in Suffex.

pat : 14. E : 2.
pars. 1 m : 18.

And about the ſame tyme, became a Channon of Exeter.

pat : 15. E : 2. m :
29.

And the viijth of January in the twentieth yeare of Edward the ſecond, the kinge ſignifies to his Eſcheator of that County, That M^r James de Berkeley being a Channon of the Church of Exceter is now Chofen Biſhop there, whereto both the Archbiſhop of Canterbury and himſelfe have given conſent, And accordingly now reſtores him to his temporallities.

Pat : 20. E : 2 m :
2. et 4.

The kinge havinge the xijth of December before declared to the ſaid Archbiſhop, That hee had given his conſent to his election of Biſhop being both a Doctör of divinity and a Chanon of Exceter.

The patent roll in the xlvijth yeare of Edward the third, tells vs, That Walter Biſhop of Exceter dyed the fifteenth of October in the twentieth yeare of Edward

pat : 48 : E : 3.
m : 7.

the second, And that the See was vacant till the nynth of January followinge, quodie rex cepit fidelitatem magistri Jacobi de Berkeley in Episcopum ibm, on which day Mr James de Berkeley did fealty to the kinge for his Bishopricke of Exceter, **fn: 1: E: 3. m: 8.** And that hee dyed on Midfomer day the xxiiijth of June after; wherevpon question aryfes betweene the kinge that then was Edward the third, and the Executors of the said James, who should haue the rents that day dewe and payable; which the kinge himfelfe willinge (fayth the record) to doe what is iust, yealds to the Executors of this James, who was buried in the Cathedrall Church of Exceter, | And for the holynes of his life was reputed a Saint, as may bee gathered from the Act of the lord Thomas Berkeley his Nephewe and heire, who in the end of the same yeare, went to Exeter, And vpon his Aniverfary day the xxiiijth of June, in honor of S^t James de Berkeley (foe called) offered at his Tombe and largely diftributed to all the Orders of Religious houfes in Exceter.

Catal. of Bishops
printed. 1615. in
Engliff. fo. 406.

Of this James Doctor Godwin in his Catalogue of Bishops writeth thus; **James** Berkeley was the xvjth Bishop of Exeter, discended of the noble house of the Lord Berkeley, and consecrated the fifteenth of March. 1326. by Walter Raynold Archbishop of Canterbury at the Comaundm^t of Ifable the Queene. The Pope very angry herewithall, did foe revile the Archbishop, as hee dyed for greefe & anger foone after: neither did the newe consecrate Bishop stay long behind him, for hee dyed alsoe the xxiiijth of June followinge: A man reputed very godly and wife; Hee was buried as some say, in his owne Church, But others deliver hee never came thither at all. Thus Godwin. **Who** also in the life of the said Archbishop, sayth, That hee beinge by Queene Ifable of whom hee greatly stood in awe, comaunded to consecrate James Berkeley elected Bishop of Exeter, hee did foe; but for his labor was foe threatned, taunted and reviled by the pope, (that said hee had reserved the guift of that Bishopricke to himfelfe,) as for greefe and anger together hee dyed.

catal: predict
pag: 129.

comp. de Hame
1 E: 3. in Castro
de Berkeley.

Affis: et plita 15.
E: 1. rot: 40.

5. **Isable**, I suppose, dyed vnnmariyed about the tyme of her brother S^t James his death; And for her exhibition had from her father and eldest brother, an Anuity of fower pound per Anñ which at that tyme ceased; And had also divers Lands in Alkington wherein shee exercised part of her hufwifry: Shee also purchafed fower markes Annuity of Robertt Bradstone out of his Lands in Bradstone and Came for her life: More I finde not of her. |

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Comp. de Alkington
7 E: 2. et divers.
at: in Castro de
Berk.

6. **Margaret** likewise dyed vnmarried, And was aswell joyntly with her sister Ifable, as after her sisters death, a Carefull Overfeer in her fathers houskeepinge in his widdowhood; which is all I can say of her.

Dis

His Seale of Armes

This lord was constant with his Seale of Armes, which (in effect) hee never changed : And the first Lord that assumed into his Coate, the ten Crosses, which all his posterity doe beare till this day : His Scutcheon hee supported at first with two flying Serpents, which after hee changed into Mairemayds, without any greater note of difference : Miter or Crest hee used none at any tyme : His seale, (lesse in diameter then any of his Ancestors,) was circumscribed, Sigillum Thome de Berkele, whereof I have seene a greater number then of all his former Ancestors. And as touching the ten crosses first borne by this Lord Thomas, (crosses of honor and priesthood,) I read antiently thus : Quum plurimi per vniversum orbem christianum, et in Anglia 60000 hominum Christi militie se consecrarent, et suscepto voto militandi contra infideles in terra sancta, cruce signarentur, multi nobiles in rei memoriam, cruces in clipeos gentilitios inferuerunt ; quo tempore, vt produnt, Berkeleij has decem cruces patentes in avitum clypeum inferuerunt ; That is, what tyme many throughout the Christian world, and in England threecore thousand men vowed themselves to a Christian warfare in the holy land against the Infidels, signing themselves with the Cross ; vpon that vow taken, many noble men in memory thereof assumed crosses into their Coates of honor, what tyme, it is beleeved, Berkeley tooke into his Ancestors bearinge, (or sheild) their ten crosses patent, or formes.¹

Ex vetusto manu-
script : cum Riço
S^t Georg milite,
de Holborne,
modo Clarencieax.

Herein also I am more confirmed That such was the vowe of | this noble lord, by the Accompt of his great grandchildes Receiver the Lord Maurice, in the one and fortieth yeare of Edward the third, who then by a lingring sicknes, perceiuinge his dayes growinge neere an end, (though himselfe vnder thirty eight,) And his sonne and heire but fiftene, And to bee the kings ward, And thereby the more vnlikely That either of them should discharge their Ancestors vowe of goinge into the holy land ; The said Lord Maurice delivered one hundred pounds to S^t John Veell Knight, ad transmeandum versus terram sanctam pro anima antecessoris domini, to goe to the holy land for the soules rest of an Ancestor of the said Lord Maurice ; which Journey to performe, the Lady Katherine Berkeley widow became bound by obligacō or the said S^t John Veell a neere kinsman of hers : And in this Accompt also the said Lord Maurice gave twenty pounds more to Richard English, in Almes, to speed the Journey into the holy land.

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comp : Receptoris
41. E : 3. in Castro
de Berkeley.

His death and place of buriall

All that have life must loose it, All that have breath must leave it : The day of death is not to bee dispensed with, which whilest one houre by continuall

Newl : pedigree
in Castro de
Berkeley.

Eschaet: 14. E: 2
Somerfet.

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Comp. de Port-
bury. 14. E: 2.

succession is added to an other, the last closeth this Lords life at Berkeley Castle on the xxijth of July Anno 1321. in the fifteenth yeare of Kinge Edward the second, (sixteene dayes after the kings entrance into that yeare of his raigne,) And the fifth of September following was (with the attendance of his sonne and heire) buried in the sayd Monasterye | of St Auguſtines by the body of his wife, in the Arch betweene the Vestry and the South Ile, then neer the age of 76 yeares, whereof hee continued Lord forty yeares three Months and somewhat more: **One** of whose Chaplens may seeme to have honored his memory and deservings with theis rymes, not vnagreable to the rithmicall poetry of that tyme.

Vetus manuſcr: in
Caſtro de Berkeley.

While th'ulke lord liv'd
All thinge by his powre,
Was in gay plight:
For gile was hidde,
good peace was kidde,¹
And honeſty had might.

His lands whereof hee dyed seiſed

Eschaet. in turre
14. E: 2. in Com.
Somerfet n^o 46.

Baronia.

Eschaet. 15. E: 2
poſt mortem
Tho: de Berkeley.

fol: [187]

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Orig: 15. E: 2 in
Scçio

Pafch: rec: 4.
E: 3. rot: 7. et 8
in Scçio.

For manifestaçon of the lands whereof this Lord dyed seiſed, there onely remayne two Inquiſitions in the Countyes of Glouc: and Somerſett, mentioninge the Mañors of Portbury with the hundred of Bedmiſter, which with the Caſtle and hundred of Berkeley, and the Mannors of Came, Hame, and Wotton with their hamletts, and other lands and Tenements, which (ſay thoſe records) the ſaid Lord Thomas had in the ſaid County of Glouceſter, are holden of the kinge in Capite, per Baroniam, by three knights fees for all ſervices; And that Maurice was his ſonne & heire forty yeares old and more, both of thoſe Offices reflectinge the one vpon the other: **In** which Inquiſiçon found in the County of Glouc:, is leaſt to poſterity the memory of thoſe dayes workes, which the Copiholders of thoſe Manors (called villani) then yearly performed, whereof I have formerly written in the life of this Lord: **For** which barony and Manors the ſayd Maurice in | Auguſt, (the Month after his fathers death and wherein his Offices were found,) doth his homage, and fueth livery. **Howbeit** by reaſon of his ſodaine fall and imprifonment, his releefe was nyne yeares after vnpayd, as in the life of his ſonne the Lord Thomas appeareth.

The

¹ "Kid," made known, diſcovered. (A.S.)

This ſelkouth mithe nouth ben hyd,

Ful ſone it was ful loude *kid*.—*Havelok*, 1060. [Ed.]

The application and vse of his life

1. Each action in each title alonge the life of this noble Ancestor is a president of singular vse to his posterity : Of whom I may confidently affirme, not to have found in readinge Plutarke lives, any one of those illustrious Grecians and Romaines, therein compared, in each respect and parralell, to have exceeded this worthy peere, wantinge onely a Plutarke to have delivered him to posterity : **N**ot knowinge whether to bee first to praise him for thus liveinge, or to call vpon his posterity to imitate his life.

God hath his Soule, the world his admiration,
The poore his Almes ; G. B. his imitation.

G : B : id est Geo :
now lord Berkeley.

Neither have I otherwise shewed the life of this Lord to his posterity, (though I have long walked in the paths thereof,) then after the Manner of Geographers, whoe note great rivers with small lynes, and mighty Cityes, with points : Or as those widdowes shewed to St Peter part of the Coates and garments which good Dorcas made whilest shee was with them, As I, a fewe of this Lords noble wayes whilest hee was with vs : **B**ut let his owne workes praise him in the gate : for of this Lord it may bee said in his generations, as the holy ghost said of Kinge Josiah, like him there was noe kinge before him, neither after him arose there any like.

Acts: 9 vers : 36.
37. 38. et 39.

Prov: 31. vers: 31.
2 Kings-23.

For worth this Lord deserves to dwell
In an immortall chronicle
And fit it were each line of his life should bee,
A lasting piramis, built to his memorie. |

2. **A**gain, from the vowe which this Lord made to have gone into the holy land in ayde of the Christians, prevented by his death, this family may observe the religious obedience of his sonne and grandchild, who held not themselves quieted in peace of conscience, till that pilgrimage and journey in the person of others., at their charges, was perfo[r]med : Therefore accordinge to Gods promise to the Recabites for obeyinge the precept of Jonadab their father, That there should not want a man to stand before him for ever, viz : his posterity should contynue and bee in favour with God for ever, will likewise, I trust, remayne with this family for like eternity.

Jeremiah ch: 35
vers : 18. 19.

3. **A**gain, As it cannot be gathered from any writeinge or meamoriall, That Jone the Excellent wife of this Noble Lord at any tyme of her 42 yeares mariage, ever travelled ten miles from the mansion houses of her husband in the Countyes of Gloucester and Somersett, much lesse humered herselfe with the vaine delights
of

of London, and other Cities: Soe I wish that her Sweetnes of disposition, her freedome from pride, the familiarity of her carriage, her affability, humility, and moderation in all succeſſes and affaires, and never thought her shadowe one ſpan the more ſpreadinge, for her owne parentage, or the growinge of her huſbands power and reputation, may bee honored in all the generations of this family, and bee of imitable uſe to all that ſhall ſucceede her: To whoſe deſervings my Pen can offer this onely ſparke of her Character, in ſteed of Sacrifice, whileſt ſhee was, to declare in part, what ſhee was: And to wiſh my ſelfe had loſt all my gramer learninge, to alter but one Tenſe, And either to ſay ſhee is: or that ſhee, that nowe is, is as ſhee was.

Anno. 1630.

Folios 264 to
270 inclusive
are omitted
between the
firſt Vol. of
Manuſcript
and the ſecond.

The end of the firſt volume (MS.) containinge the lyves of the firſt
ſeaven Anceſtors of this family of the Berkeleys, wherein . 254 .
yeares are taken vp, (viz^t) from the firſt of Wiſſm the Conqueror
Anno . 1067 . till the 15th of Kinge Edward the ſecond Anno .
1321.

Finis Thomæ Secundi

The Life of Maurice the Third

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The Life of Maurice lord Berkeley the third of that name, stiled in writings, Mauricius de Berkeley dñs de Berkelee, and Mauricius de Berkeley filius Thome de Berkeley dñs de Berkeley, **And**, dñs Mauricius de Berkeley dñs de Berkeley, **And**, was a lord and Peere of the realme twelve years in the life of his father.

And may bee called Maurice the magnanimous.

Contemporary with Edward the second from : 1321 . to 1326

Whose life I lay down under these fifteen titles, (viz!)

- 1.—**His** birth and education—fol : 272.
- 2.—**Hee** became father of a son under 14—fol : 272 . 273.
- 3.—**His** forraigne employments and rebellion—fol : 274.
- 4.—**His** miscellaines, husbandryes and hospitalities—fol : [290]
- 5.—**His** wives—fol : [293]
- 6.—**His** issue—fol : [295]
- 7.—**Berkeley** of Stoke Gifford—fol : [311]
- 8.—**Berkeley** of Bruton—fol : [317]
- 9.—**Berkeley** of Boycourt in Kent—fol : [318]
- 10.—**Berkeley** of Bradley—fol : [319]
- 11.—**Berkeley** of Shropshire—fol : [320]
- 12.—**His** Seale—fol : [324]
- 13.—**His** death and place of buriall . fol : [324]
- 14.—**His** lands whereof he dyed seafed—fol : [325]
- 15.—**The** Application and use of his life—fol : 326. |

His

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His Birth and Education

Math : Paris
fol : 204.

Hee that hath observed this family from y^e death bed of y^e last lord and cast his eyes upon the heir of the house then standing by, might have said *mira canam*, I'll tell a wonder, occubuit sol, nox nulla secuta est, The sun hath sett, but noe night doth follow: A father hath leaft his house and family without any alteration of Dignity, estate, Servants, or government **And** if the moral Philosophers had not taught, that hee only is happy that cannot be miserable, I would have judged this lord, whose life I now take up, to have entred with the greatest happinefs, and to have been in the most assured felicity of all his ancestors: *howbeit* such are the uncertaine turnings of mans life, that suddainly such a black cloud overcast that happy estate wherein this lord was leaft as no beam of clearer fortune appeared faire duringe the residue of his life, whereof I nowe begin to write.

Eschaet. 15. E. 2.
N^o 46.
in arce London.

Cartæ in Castro de
Berkeley.

If those two records of Inquisitions in the Countie of Gloucester and Somerset, found by this lord after the death of his father have this lords age aright, to whose beleefe I am also tyed by other observations concurring, (And he best knew his own age that sett it down,) Then was this lord Maurice born in the year . 1281 . being the ninth of King Edward the first, and near the month of Aprill wherein his grandfather the lord Maurice dyed; **And** was by his father the last lord Thomas marryed at eight yeares old in the 17th of that King, to Eve daughter of Ewdo lord Zouch and of the Lady Millicent de monte alto his wife; and was by her made father of Thomas his eldest son before hee was fourteen years old himself: Neither was his wife above that age which I am as unapt as any to give faith unto: *Howbeit* when I see and handle this lords birth in y^e ninth year of King Edward the first, And find him to be marryed in y^e Seaventeenth of that King, and himself but forty years old at y^e death of his father in the begining of the fifteenth year of King Edward the second, And when hee himself dyeth in May in the Nineteenth year of the sayd King . Anno 1326 . and leaveth Thomas his said son and heir then thirty years old and upwards, (all which by their offices, deeds and other evidences | appears very manifest,) I would gladly think otherwise, but Truth will not permit mee.

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2. Kings. 23. 26.

Sutable is that of King Josiah, whom y^e holy scripture doth assure us to be but thirty nine years old when hee dyed: That at eight years old he began to reigne, and

and raigned one and thirty years, and fith, (as the text sayth,) his son Eliakim was twenty five years old when he began to raigne after his fathers death, Then could not Josiah exceed fowrteen yeares when his sonne was born.

In like fort we are assured by the same holy Authority That King Ahaz lived but thirty six yeares in the whole, That hee was twenty years old when hee began to raigne, and raigned Sixteen years, And that his son Ezechias was 25 years old at his fathers death : Then it must needs follow that Ahaz was marryed and begat Ezechias at Eleven years old or before.

2 Kings : 16 : 2
chap : 18 : 2.

In like fort it is generally taken by Jewe and Christian, (and but fewe think otherwise,) That Solomon came to his crowne at twelve years old, and the Text faith hee raigned but fourty, And soe dyed at fifty two : And when Rehoboam his son, who immediately succeeded his Father, began to raigne, hee was one and fourty years old, then could Salomon bee but Eleven years old at most when he begat Rehoboam.

1 Kings. 11 : 42
et ch : 14. vers. 21.

I approve not of this match of this lord Maurice, by the examples of the former matches, with any desire that the nuptiall bed should soe soone be known ; but by instanceing those of authentically verity, to lett in esier beleefe to what I find of this lord : **With** whom my small reading could parralell more then a dozen other parents which have been fathers and mothers at fowrteen years : **And** the Fathers of the Church do tell us that the blessed Virgin Mary brought forth our Saviour at fifteen yeares old or under. |

His forraigne imployments and rebellion

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The whole life of this lord was martiall, whereto his youthfull marriage, and the timely knowledge of his wife were no impeachments ; Neither can greater magnanimity of mind and spirit be observed in any of his ranke and time, as the whole portraiture of his life doth present. **Bedminster** neer to Bristol was his first seat, where and at Naylesey neer adjoyning from the time of his marriage till about twenty years of age, hee much frequented those downs in all martiall exercises, runing with Launces, hastiludes, Spearplays and the like, futable to those active times : **Doc** year passing wherein hee went not to publick Jufts and Turneaments, to Worcester, Dunstable, Stanford, Blith, Winchester, and other places.

Compi de
Portbury et
Bedminster. 18. E.
1. et al : in castro
de Berk :

divers : compi in
cast : de Berkeley,
temp : E. 1.

Those Young yeares soe passed hee entreth into publick action, And as soon became a man, a father, and foldier, ripe in martiall affairs as in humane condition

may bee expected; ~~Neither~~ have my reading observed any man encompassed with flesh and blood, that did sooner present ability in martiall kind, then this lord: ~~Much~~ of whose life, with most of his martiall employments, offices of state, and places of Judicature, and of greatest trust in the Common wealth runing out in the life time of his father; ~~None~~ (whereof any former mention hath been made) I will againe otherwise repeat, Then that such were his services in y^e Welsh warrs, where first hee looked Mars in y^e face in y^e 23^d year of King Edward the first. And in the ffrench warres two years after in the five and twentieth of that King, in that Army over which his father the lord Thomas was Constable, continuing the winter following with the Army in fflaunders. And in the first and sixt years of King Edward the second.

pat: 1 E: 2. pars. 2.
m. et 6. E. 2.
pars. 2. m. 9.

And such also were his services in the Scottish warrs in the . 24 . 26 . 27 . 28 . 30 . 31 . 34 . and 35th years of King Edward the first And in the . 2 . 3 . 4 . 6 . 7 . 8 . 9 . 10 . 11 . and 12th years of King Edward the Second; ~~Wherein~~ from after the first year of that Kings raigne, hee was ever somoned and sent unto as a Baron and Peer of the Relme dureing his fathers life time: ~~For~~ it sometimes so happened in | those rolls of Sommons, as well for the warrs, as comeings to parliaments and the Kings great Councells, That his name was ranked before his fathers.

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It nowe remaines (which formerly is not written) to add That in the great voyage made against the Scotts, And at y^e Seidge of the Castle of Caerlavarac ats Karlaveroke was this lord in the year 1300, whose banners in the manuscript Cronicle of y^e great muster of Edward y^e first in the 28th of his raigne, then at Cardnell in Scotland, and ready to march upon the Seidge of that strong castle is in these old French meeters thus described, in honour of those famous beseidgers whereof this lord is reported to have been one of the boldest Captaynes, then in the nyneteenth year of his age.

Ex origin manuſc
em willmole Neve
de Aſlaſton in
Coſm Norſ:

E Marices de Berkelée
ki compaigns fu de cele alée
Baniere o't vermeille cum sanc,
Croiffilie o vn chievion blanc
où vn labile de asur avoit

pur ce ke fes peres vivoit———And Māurice of Berkeley who was one of this winge, had a red banner with holy croffe, & a white Cheveron with a labell of Azure, for that his father was alive: meaning (as the originall witneffeth) That hee was in the fourth battallion with the Prince of Wales, then seaventeen years old, and newly bearing Arms.

The

The twentieth of July in the sixth year of King Edward the second the King granted to him the custody and government of the Town of Gloucester, and sole Conservator of the peace there, **And** heard and determyned complaynts in criminall causes, such as were comitted in that Town and the liberty thereof.

pat. 2: E. 2. m. 25.
pars. 1. et al:
eadē in dorfo.

The 18th of Aprill in the 8th of his raigne, the King comitted to this lord Maurice, the custody of y^e castle and Town of Berwick upon Tweede with full power to order the affaires of the same, as may stand with the Kings hoñor, and the safe custody therof, as hee shall see best cause to doe; Wherein hee continued till the 18th of May in the year following. **And** therewith another Comission, to all the Captaines, Soldiers, Officers and People to bee ayding & obedient to him in all things. |

Rot. Scotiæ. 8. E.
2. m. 4. et. 9. E. 2.
m. 2.
claus. 9. E. 2. m:
17.

In which doubtfull tyme foe neer after the great overthrow of the English by the Scotts at Bannocks burrow, called the battle of Strivelinge, when every week it was expected to bee assaulted or beleiged, to consider his great care and diligence in his dispatches with the King and his Councell, for Armour, munition, victuals and men, for the defence of this foe important a peece, (*sic* place?) witneffeth y^e opinion conceived of his valour and wisdom, to bee rightly levelled.

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Claus. et rot.
Scotiæ, a et m.
predict. et m. 6.
et 7.
Rot. Scotiæ 9 E.
2. m. 6. et 8 E. 2.
dorfo.

And the first of May in the year after, The king writes to his Trefurer, That in regard this lord had of his own goodwill undertaken the Custody of y^e Town and Castle of Berwick, (when belike none other would,) as by Indentures between them was agreed, Therefore the King gives him six hundred pounds out of the next wardships that shall happen after Michaelmas next, besides that Thousand pounds which hee hath received for the aforefaid keeping of Berwick wherein also his great diligence and labour in preservation of that peece is commended by the King.

Claus. 9 E. 2. m. 7.
Claus. 10 E. 2. m.
13 et 30.

And the twentyeth of July in the Tenth of his raigne, writes to his Chamberlaine of Kermerden, how by bill under his hand, hee had promised to pay to this lord late governour of Berwick—465^{li}. 6^s. 8^d. in recompence of his horses lost in his service, Now requiring him That of the money in his hands, hee forthwith do pay it; **And** herein is sett down the coulour and price of each horse, and the names of each of this lords Knights, Esquires and men that rode them;¹ **And** amongst the rest is

Claus. predict
m. 30.

¹ We will add from the Roll the names of a few of the Knights and Esquires who rode the horses:

Adamus Martel, scutifero.

Jacobus de Wilton, scutifero.

Johannes fit Nicholai, scutifero.

Johannes Danyel, scutifero.

is **Maurice**, the second son of this lord, then about Seaventeen years old, of whom the Berkeleys of Stoke by Briftoll are descended.

Rot. fin. 9 E. 2. m. 2. **The** Twenty fourth of June in the ninth of his raigne, the Kinge granted this lord the office of Justice or presidency of West Wales and South Wales, and the custody of all the Castles in them being, with like Commissions to all Captayns, Soldiers, Officers, and people, to bee aiding and Obedient to him in all things, as before.

Rot. Scot. 10 E. 2. **In** the Tenth year of Edward the second, this lord upon the Kings comaundment raifeth one Thoufand foot in West Wales where hee was Justicier, and bringeth them to Newcastle upon Tyne | with . 200. others rayfed out of y^e forest of Dean, Rot. Scot. 11 E. 2. m 4. 12 et 16. 277 and one hundred out of y^e land of Gower in Wales; **And** the 8th of September claus : 11. E. 2. m : 19. eodē in dorfo. following being in the Eleventh year of the said kings raigne, the kinge sends Rot. Scotiæ : 11 : 12 : 13 : E : 2. againe to this lord reciting his former direction for the one Thoufand foot out of west wales, And now directs him to come speedily in his own perfon with them to Northalerton in Yorkshiere the munday after S^t Matthews day at farthest **And** at this time went with him his two sonnes Thomas, and Maurice : from which offices in Wales this lord was removed the seaventh of October after, for his greater preferment as followeth.

fin: 11. E. 2. m. 11.

Rot. vascoñ 13. et 14 : E : 2 : m. 12. **The** 28th of February in y^e 13th of his raigne, the King graunts to this lord Maurice, by the name of his well beloved cozen, the office and regiment **Seneschalsie ducatus Aquitaniæ**, of the Stewardship of y^e Dutchy of Aquitayne, with all things membr : predict. to y^e office appertaining And at the same time writes to his Constable of Burdeaux signyfying That with the said office hee had given his said cozen . 2000^{li}. Turoñ p^r anñ for his wages, **And** requires also that hee have all his charges and expences borne, as often as hee goes to y^e parliaments or Courts of the King of France, or any whither elce out of his said Stewardship, And what was foe paid should be allowed to him upon his accompt.

And

Radulphus de Manda villa, scutifero.
Johannes de Paulesheye, scutifero.
Thomas de Nova villa, scutifero.
Johannes de Mautravers, milite.
Dominus Mauricius de Berkele, milite, filius.
Thomas de Wynterburne, scutifero.

Adamus Martel, scutifero, postea.
Johannes de Swonhongre, scutifero.
Johannes fil. Nicholai, valetto.
Rogerus de Brokele, valetto.
Thomas de Baa, valetto.
Fulk de Penbrugges, valetto.

Thomas de Gurney, valetto. [Ed.]

And two days before his patent was sealed comands his Treasurer to deliver to this lord whom hee had appointed to bee his Steward of Gascoigne and Aquitayne, one hundred pounds as part of his ffee.

Alloc: et lib. 13
E. 2. m. 3.

And the 7th of March following as hee was on his Journey thitherward the King at Canterbury grants him a generall protection from all Effayes for a year following, And soe likewise for his two sonnes Thomas and Maurice, And for Thomas de Bradstone, John Mautravers the yonger, and other of his friends and fervants whom this lord took over with him: **And** leaft also Thomas sonne of Thomas de Berkeley his second brother and Richard Salle to be Attorneys in their abfences for them all.

pat. 13. E: 2
m: 14.

It is formerly touched howe also this lord Maurice was at each of nine or ten Parliaments after the first year of this Kings raigne for fowerteen years before the death of his father, whither hee was fomoned by speciall writts to consult amongst the peeres and Nobles of the | realme; **And** was actually thereby a Baron and peer of y^e realm, And as hath already in part, and will more fully afterwards appear, had now in lands and offices a great estate to maintayn that dignity, not inferior to his fathers; maintayning a houle and port, each way answerable, as after will be declared.

Rot. Parliamen^t
temp. E. 2. in arce
lond:

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And it is further to be observed, That besides the trust and Authority of the Commission for preservacon of y^e peace (not then as now, prostitute to y^e ambition of Inferior perfons,) wherein likewise from y^e first year, of this King Edward the Second hee was spetially trusted in y^e Counties of Gloucester, Somersett, and some others, hee was also imployd and graced in many other Comissions of Honnorable employment and Trust, as appears.

pat: 1. E. 2. pars. 1.
pat. 7. E. 2. ps. 1.
dorfo. et pars. 2.
dorfo.
Rot. Scotiæ. 8. E.
2. m. 4.

And, which I accompt as one of the Kings greatest favors and fatisfactions to this high foaring lord, (considering what heavy and Ignoble meafures this lord and his father had about seaven years before received by the clamorous pursuit of the Burgeffes & Town of Bristoll, (with an unanimous malice then confronting them, as in his fathers life is declared,) which the King now bestowed upon this lord, was That when intestine uproars and rebellions were at this time raging in y^e Town of Bristoll, between the Mayor, Burgeffes, Commons and Constable of the Castle, wherein one half were for some years rebelliously in Armes against the other, many slayne, and twelve Burgeffes banished by the greater faction: **That** now the King after his mandates had by those mutinous Tounsmen been doubly contemned, Some

fin. 6. E. 2. m: 4.
claus: 6. F. 2.
m: 8: 15.
pat: 6. E. 2. pars. 1.
m: 13. 14. 20. 22. 27.
eodem ps: 2. m.
7. 13.
claus: 7. E. 2. m:
vlt. et in dorfo.
pat: 7. E. 2. pars.
1. m: 8. et in dorfo.
bis.
pat. 8. E. 2. pars. 2.
m: 7. 8. 10.
fin. 9. E. 2. m: 2.

of

pat: 9. E. 2. pars. 2.
 m: 27. at large.
 claus: 10. E. 2. m:
 11. et in dorfo.
 pat: 10. E. 2. pars 1.
 m: 3. 30. 35.
 pat: 11. E. 2. pars. 2.
 m. 5.
 pat: 11. E. 2. pars. 1.
 m: 15.
 pat. 6. E. 2. pars. 2.
 in dorfo.
 pat: 7. E. 2. pars. 1.
 in dorfo.

of his commissioners sent under the authority of his great seal to inquire of their conspiracies, insurrections & murthers, taken & imprisoned, **The** Castle of Bristol by theis mutineers assaulted and forts by them built against it; **After** the power of three Counties brought by their severall Sherriffs sufficed not to appease them; **To** make I say the father Comissioner to enquire of all these and divers the like offences; **And**, (after Seazure of the Town into the Kings hands and many sent to y^e Tower,) The sonne, this lord, **Custos** of the said Town and Castle and thereby their Judge of life and goods: (for Simon Ward was but his creature and by his means so placed,) was as it were on purpose to give y^e Town & people into this lords mercy or Justice, either to honour himselfe and his father in forgiving, or to revenge themselves by punishing upon foe just & superexorbitant new | offences: **havinge** hereby in their hands and power as well all their old enemies, as whom els, freinds or foes to execute their wills upon: **But** mercy most prevailed; The whole tragedy and progreß whereof, my marginall quotations doe declare.

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claus. 17. E: 2.
 m: 14: 15. 16.

Yet I cannot but remember on the other part, That when this lord, a few years after the lapping up of these broyls, was fallen into the displeasure of the king by pertakeing against Hugh de Dispenfer the younger, and comitted prisoner to Wallingford Castle; That Richard Tilly then Mayor and these Bristolian Burgeßes, out of an inveterate hatred and remembrance of former passages with this lord and his father, foe maliciously (and covetously withall) drew into question all and whatsoever they in the least degree could sprinkle any suspition upon to have leaned unto or adhered in service or otherwise to this lord, committing them to their comon goales, and otherwise so ill intreating them, (for their Escheats sake also,) as the prisoners objected, That upon their just complaints spetiall comissions were awarded under the great seale to two of the Judges of the Kings bench to inquire by Juryes of the County of Gloucester of the causes of these comitments and of the said Mayor and Burgeßes unjust pillages made upon them: whereupon eight, ten, and more, at a clap were bayled and discharged, and many found to have been unjustly committed, to the Mayors great reproof for wrongfull punishment inflicted upon innocent men.

nat. 17. E. 2. dorfo.
 codē. pars. 2.
 m. 30. et in dorfo.

Thus and upon these faire termes stood this lord with the King, (whose Spetiall favour hee seemed to have at his employment into Aquitayne,) as hath been said, from whence twelve monthes after his departure, hee return'd about ffebruary in the 14th year of his raigne: howe the quarrell arose between Hugh Spencer the younger, Earle of Gloucester, and him (which was his overthrow) I find not: howbeit if the return of that Comission were extant which was in the time of this lords government

government granted to Hugh Spenser the elder, and the lord Baldefmere, to inquire of all officers misbehaviours in Aquitayne, perhaps it might declare the root to spring from thence; or whilst the King was that year in France about his hom[a]ge to the French King for this Dukedome; **But** discontented this lord was, as too many others of greater note then himself then were, not only with the said Hugh Spencer the younger, but with his father | also Hugh Spencer the elder, Earl of Winchester, yea with the King also and his government, and with the power those two Spencers had under him, whose unlimetted greatness overawed and swayd all others: howbeit the good old lord Berkeley, (even then in stouping towards his tombe,) perceiving the martial bent of this lord his sone, into whose hands and disposition (as well he might) hee had put both himself, and in effect his whole estate divers years before, by wife diversions (as much as in decrepit age hee might,) kept this lord his son from breaking out and from openly pertakeing with other discontented lords, (then enterd into a kind of Rebellion,) so long as hee lived; As well may be perceived by the tres and messages that in the last year and [blank] months of his life, came from the Kinge to himself, and to this lord his son; **But** the said lord Thomas dying the 23^d of July following which was sixteen days after the Kings entry into the fifteenth year of his raigne, (as hath been said,) this lord Maurice became a proffessed enemy to the said Hugh Spencer the Sonne: And contained not himself any long time after before hee joyned in Armes with Mortimer, Audely, Gifford and other lords against the Spencers, **And**, as Hollingshed faith, with neer . 12000. men came with The Kings banner spread unto Newport where they tooke the Castle that was Hugh spencers y^e younger, and divers others of his, slew many of his Knights and men, and tooke many of them prisoners and ransomed many, and burned three and twenty of his mannors in those parts in wales; In which outrage they continued fifteen days, **And** then came with their Army into England, where they did him the like damage, And sent the King word by the Bishop of Canterbury that they would not desist till they had driven the Spencers out of the land, **And** adds further, that they did more damage y^e the former to the mannors and lands of Hugh Spencer the father in thirteen Counties, with extreame havocke and Spoyles.

I have in these relations propofed to my self to bee more directed by matter of record then by the vulgar chronicles when they vary from record either in time or matter, **Take** therefore the first hostile and rebellious acts of this lord and his complices out of a manuscript act of parliament in the fifteenth of this Kings | raigne, never printed, which setts forth howe Hugh le Dispenfer the son suffered most greevous

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Rot. vascōn: 13.
et. 14. E. 2: m. 11.Rot. fin: 13: E. 2.
m: 1.Hollingshed:
fol. 326.claus: 15. E. 2.
m: 14.
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Rot: parliament.
21. R. 2. pars. 2.
m: 6.

greevous oppreffions, being with the King and in his fervice and office of Chamberlayne, by Roger Mortimer the unkle, St Maurice Berkeley, Hugh de Audeley, and others, who with their retinues, came upon him on wednsday after the feaft of y^e invention of the holy crofs (then the eighth of May) in the 14th year of King Edward the fecond, at Newport in wales, with . 800 . men of Armes with baner difplayed with the Kings Armes and their own, and with . 500 . light horfe and ten thoufand foot, enterd upon his Caftles and Towns, flewe his men in Wales, and imprifoned others of them, tooke away his Armour and Viſtuals to the Value of two Thoufand pounds, and took and burned his evidences to the value of two Thoufand pounds more, And took away threſcore breeding mares with their iffues of two years old, two eſtalons, 160. Bullocks, 400. beofes, 500. kine with their iffues of two years old, 10000. ſheep, and . 400 . hogs, and burned his granges and farm houſes, three and twenty mannors, (named in the record,) And ſo fetts down other ſpoyles, wth then by them were done: And likewiſe Hugh le Diſpencer the father ſhewes, howe the fame power and perfons on St Barnabe day, (the 11th June,) in the fame 14th year of King Edward the fecond, in like fort ſpoyled his manors of Beeſeley, Fairford, Letchlade, and fifty others in the Counties of Glouceſter, Wilteſs, Dorſett, Southiton, Berks, Oxon, Bucks, Surry, Huntington, Leiceſter, Yorke, Cheſhire, and Warwick, And tooke away of his. 28000. Sheep. 1000 Oxen and Steers, 1200. kine with their calves of two years old, 2000. ſwine, 40. Tunns of wine, 600. bacons, fower ſcore carcaſſes of beoſe, 600. muttons in the larder &c. to his damage of Thirty Thouſand pounds; and came to the Abby of Stanley and there tooke out of his Coffers one thouſand pound, and 1000^{li} in plate, And enterd Marleborrowe Caſtle, And thence carried away of his woole, cloth, croſſes of gold, Ivory and other ornaments, and out of his Wardrobe there to the value of Six thouſand pounds. And cauſinge people by force to riſe and obay them, came to Weſtmiſter, And at the Parliament then there holden (at midſomer in the ſaid 14th year of Edward the fecond,) cauſed him and his ſonne to be Banished and diſinherited.

Parliament at
weſtm. 14. E. 2.

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Parliam^t York 15.
E. 2.
Rot. parl. 21. R. 2.

And in concluſion affigne the errors comitted in thoſe proceedings in | that parliament which are here allowed and the former reverſed as being againſt the kings honor and Juſtice, and done by evill counſell. Which are alſo to be read in the parliament rolls of the 21th year of Richard the fecond, what time Thomas le Diſpenſer Sonne of Edward ſonne of Edward ſonne of the ſaid Hugh le Diſpenſer Earle of Glouc^r y^e ſonne of Hugh le Diſpenſer Earle of Wincheſter the father, was created Earle of Glouc^r And the records of thoſe times revoked and annulled by Sentence in this parliament.

The

The 12th of November in the fifteenth year of his raigne the said King Edward writes to this lord, to contayne him in his obedience, and to caufe him to dislike the unjust prefumptions of Thomas Earle of Lancaster, reciting the Earles tres to him, noted to be full of arrogancye &c. And in conclusion forbiddeth him upon his perill, to meet at any conventicles or assemblies without his lycence.

claus : 15. E. 2.
dorfo.

And at this time the king draws many foldiers out of divers Counties to meet him at Cirencester in the County of Glouc^r in the feast of S^t Lucy being the 13th of December.

eodem in dorfo.

The eighth day of which December, the king then at Worcester, for the fattisfaction of his discontented lords and comons, declares his reasons why, (upon the petition of Hugh le Dispenfer the younger,) hee had recalled him from exile, having been banished by parliament at midfomer before, as tyed to justice by the old f[atute] of magna charta and by his oath at his coronation.

pat. 15. E. 2.
pars. 1. m : 4.

And the 25th of the fame December, the kinge declares the like upon an other petition for the revocation of Hugh le Dispenfer the father.

eodem : m. 4.

And the next day after, then at Cirencester commands the Castle of Brimsfeild not feaven miles off, to bee pulled down, the old inheritance of the Giffords, the owner whereof John Gifford lord of Brimsfeild was now in rebellion with this lord Maurice, haveing the 7th of this December before sent out divers writs into severall Counties to have him and others arrested, and their lands seafed into his hands.

eodem : m. 6.

And the 27th of the fame December went out severall writs to y^e Sherriffs of twelve or more Countyes to seaze into the kings hands the lands of these rebellious lords. |

fin:15. E. 2. m. 19.

And the day following the king comitted to John Hansteed, Odo de Stoke and to Geffry Dode, the keeping of all the Castles, mannors, lands, goods and chattles of this lord Maurice and of Thomas and Maurice his fons, and of twelve others in the County of Essex, To hold at will, and to answer the proffitts into his Chamber.

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fin : predict

The foresaid 27th of December in the fame fiftenth year, the kinge from Cirencester sends out other writs to his Sherrife of Gloucestershiere to seaze into

eodem.

his

his hands all the Castles mannors lands and Tenements goods and chattles of John Gifford of Brimesfeild, this lord Maurice Berkeley and of Thomas his sone, Thomas the sonne of Robert de Berkeley, Nigell of Kingcote, Thomas of Bradstone and of fourty eight others perticularly named in these writs of seazure.

eodem. m. 23.

And the next day after the Kinge grants the custody of all the same to John de Langley, John de Hampton and to Robert de Ashton to hold at his will, and they to answer the profits.

claus : 15. E. 2.
m. 12.

Wherein by a small digression I will note howe all the mannors and lands of the two great Earles Spensers the father and the sonne, were not six months before seized into the kings hands as escheated, they disinherited and exiled, And now restored againe to all, from the same kinge, and in greater favour and power then before : **And** those to whome their lands were graunted, have the same taken from them, And these Spensers in possession of their own lands againe, and of their enemies alfoe to boote ; and foe of their persons reciprocally ; **And** one parliament to declare within a year the whole Acts of a former under the same King to bee voyd **And** the lords Damery and Audeley, for seazing the lands of the said Earles Spensers by warrant of the kings Comission under the great seal grounded upon an act of parliament, were within the year by the like Comission and by another Act of parliament adjudged Traytors for foe doinge, and their doings disfavowed by a second parliament.

claus : 15. E. 2.
m : 27.

fin. 15. E. 2. m. 17.

But I returne ; The 4th of January following the kinge comanded the Sheriffes of Lincolne and Yorke to Seaze into their hands all the lands and Mannors of this lord Maurice & of other his complifes in those Countyes.

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pat. 15. E. 2. pars.
1. m : 2. et. 3.

The ninth of the same January, the king takes into his spetiall defence | and protection the person lands and goods of Hugh Spenser the Younger.

Pat. 15. E. 2. pars.
1. m. 2. 3.

The 13th of January the kinge grants his safe conduct to Roger de Mortimer lord of Wigmore, and to twenty other persons whome hee would chuse, to come to him and to commune with the Earles of Richmond, Penbroke, Arundle and Warren about their discontents, And after safely to depart : what followed hereupon I find not : I suppose nothinge.

pat. 15. E. 2. in
dorso.

The fifteenth of y^e said January, the kinge grants his Comission to Ralph de Greindon and others, with forces to apprehend this lord Maurice and other malle-factors,

factors, (here named,) disturbers of the peace, who with multitudes of armed men had taken the goods of the kings subjects hostilely in the county of Warĩ, and them beaten and wounded, And had comitted divers murders, burnings &c. Therefore gives power to those Comissioners to pursue arrest and take them, with all diligence, with a Comandment to all Sherifes of all Counties to bee aidinge and assisting to these Comissioners.

The 17th of the said January, the king graunts an other safe conduct to the said Roger de Mortimer that himself and four such other persons of State as hee would chuse, should safely come and conferr with y^e said fower Earles about their greevances and discontents and as safely depart : Mortimer, this lord Maurice, and others came as followeth ; But they all found their safe conduct broken And instead of conference, or safe departure were sent, some to the Tower, others to Wallingford Castle, as nowe is to bee related.

pat. 15. E. 2. pars.
1. m. 2. et 3.

The 7th of February in the said fifteenth year of his raigne, the King then at Glouc, commands the Sherife of that County, to seaze into his hands the Castle of Berkeley without delay, and all the goods and chattles within the same to be found, and thereof to answer the profits. At which time (saith Hollingeshed) this lord Maurice came to the Kinge at Gloucester, submitting himselfe to the Kings pleasure, which I may not altogether beleieve.

Rot. fin: 15. E. 2.
m. 17.

Hollingesh :
fol. 329.

The 13th of February in the same fifteenth year, the King comitts to Simon de Driby the custody of this lords Castle and manor of Berkeley and of the manors of Wotton, Simondfall, Cowley, Came, Hurst, Hame, Slimbridge, Alkington, Stanle, Pondelarge, and of his lands in Berewike, To hold at the Kings pleasure, and to answer the profits. |

eodem. m. 15.

The 18th of February in the same fifteenth year, the kinge comitts to Richard Lovell the custody of this lords manors of Portbury and Bedminster and of his three hundreds of Portbury, Hareclive and Bedminster, to hold at the Kings pleasure as before.

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Rot. fin: anno et
membr. predict.

The 22th of February in the same fifteenth year of his raigne the king awards his comission to Martin and Kirkby to find out by all wayes and means the Jewells, money, plate and other goods of this lord Maurice and others of that adherency And the same to arrest and Seaze.

pat. 15. E. 2. m.
26. pars. 2.

Rot. fin : 15. E. 2.
m. 9. et
16. E. 2 : m : 17.

The 21st of Aprill in the fame fifteenth year, the Kinge comitted to Rich^d de ffoxcote the custody of this lords manors of Mars in the p^rish of Thornbury, Shipton under Whitchwood, and Buriford in the County of Oxon wth all the goods and chattles therein to bee found, To hold at y^e Kings pleasure.

pat. 15. E. 2. dorfo.

The 18th of May in the fame fifteenth year, went out Comiffions to find out what other lands this lord Maurice and his fellow rebels had, (not before granted and knowne,) to the end the kinge might feaze and difpofe of them as hee had done of all hee had already found ; foe fpeaks the record.

fin. 16. E. 2. m. 26.

The 21st of July in the sixteenth year, the Kinge appoints Commiffioners to accompt for the profits of all this lords lands, not in the Exchequer, but to pay them in, cameram fuam, into his chamber to the privy purfe.

fin. 16. E. 2 : m : 17.

The 14th of October in the 16th year of his raigne, the kinge comits, (inter alia,) to Hugh le Difpenfer the younger, the manor of Mars w^{ch} was this lord Maurices, To hold at his pleasure.

fin. 17. E. 2 : m. 9 :
13 :
honorde Berkeley.

The third of May in the 17th year of his raigne, the Kinge comitts to John Frelond the custody of the Cattle and honor of Berkeley, and of the manors and lands that were this lords within the County of Glouc: with the fee of twenty marks for his paynes.

Alloc : 19. E. 2.
m : 2.

And now alfoe was Bernard Castle in London, and other parts of this lords poffeffions, comitted by the Kinge to the Custody and government of Robert Hungerford.

orig. 15. E. 2. em
rem. thes : in fccio.

And to conclude thefe perticulars, After this lord was thus shut up in Wallingford Castle, noe Term almost paffed in the next fower years, but one writt or other, Comiffion, Inquifcōn, or other proces out of one or other of the Kings courts, iffued and were executed and returned concerning the poffeffions of this lord, and of his fonnes and kindred ; And amongst others one Inquifcōn was taken at Wotton the 27th | of December in the faid fifteenth year, wherein the Jury found That this lord the day of his rebellion was feized in fee Simple of the Castle and Townes of Berkeley and Wotton, and of the mannors of Hame, Alkington, Hinton, Wotton, Symondfall, Came, Cowley, Hurft and Slimbridge in the County of Gloucester ; And of the mannors of Portbury, Bedminfter and Radeclivestreet, Kingfton Seimore,

Escheæt. 15. E. 2.
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Eschaet. 1. E. 3.
in com Somersæt.

Seimore, with the hundreds of Portbury, Bedminster and Hareclive, and of divers lands in Ashton, in the County of Somersfet, And that it was more for the kings profit to keep these manors and lands in his own hands, stocked and stored with cattle as then they were, then to lett them out to farm for rent; which proved a more beneficall presentment for this lords eldest sonne the lord Thomas then was intended, as after in his life appeareth.

And accordingly in the same and the next month the oversight and government as well of the said manors that were of this lord Maurice, as of Thomas his sonne and heire, as of fifty and two other gentlemen of this County, Gloucester, pertakers with this lord in this rebellious act, were comited to Hampton, Langley, Ashton and others as before partly hath been declared, to hold at the kings pleasure, and to accompt for the profits in the kings Exchequer, assigning to each of them severall fees for such their employments, **Which** course of husbandry, (the same this lord and other his ancestors had used,) was continued in the said manors, till the Kinge himself five years after was made prisoner to this lords sonne with the losse of his life in this Castle of Berkeley, now by him and the foresaid two Earles Spensers the father and sonne thus disposed of; most of which Accompts for those five years of all or most of those manors and lands, and of divers others in other Counties, (longe since sold and given away by this family, which the Kinge in like manner then seized and tooke into his hands,) doe yet remaine in Berkeley Castle.

Reportar. in sc̄cio.
15. 16. 17. E. 2.

multi comp̄i. 15.
16. 17. 18. et. 19.
E. 2. in castro de
Berkeley.

For conclusion it is certaine, the power of these lords united was Stronge, and the hearts of the people in such sort generally raised against the government and greatness of the aforefaid Earles Spensers, That if an army were rayed to subdue them, yet overdangerous to give Battle to such experienced and iraged Captaynes, upon the poynts of whose swords consisted all their safeties, Especially if the Earle of Lancafter with his discontented followers then in Arms in the North, should have joyned with these in the west, which was | feared and wisely prevented; **The** 287 consideration whereof may seem in part to have invited to that parly, and to those safe conducts sent from the court to Roger le Mortimer the thirteenth of January, first for himself and twenty; and fower days after for himself and fower such others as hee would bring with him to conferr of their greivances with those lords of the kings counsell then with him at Cirencester, as hath before been said **And** it is noe offence to truth, to say that Mortimer brought with him to that parley this lord Maurice Berkeley and the lord Hugh Audely, (then by matche of their Children his two brother in lawes,) and his uncle Roger Mortimer; where suddainly they

Walsingham. fo.
115: et al.

they found contrary to all their expectations, (as divers histories affirm,) their safe conduct broken, and this lord Maurice with the lord Audeley, (before the twentieth of that January,) sent prisoners to Wallingford Castle, and the two Mortimers to the tower at London, in which places they held their lives at the courtesy of those that deadly hated them: Gods justice never permitting impunity to the disloyall enterprises and complots of Traytors, for in rebellions wee do but fight against Gods providence, and contradict God in his owne appoyntments.

Wallingh. fol: 118.

I forbear to conjecture the reasons which probably seem to have invited these lords, (esppecially this lord Maurice, called by Wallingham vir nominatissimus a most remarkable man,) to cast themselves upon this Salvum conductum this safe come, safe stay, and safe depart; **But** their unexpected comitments to those prisons appears to be soe displeasing to Thomas this lords eldest sonne, and to his brother Maurice, with other of their complices, That in heat and rage, aiming only at revenge, they whirle about into most Counties where the two Earles Spenfers had lands goods or chattles, And what devastations they made eare they were suppressed, let these few records here by the way, (the rest in the life of the said lord Thomas,) declare.

pat. 15. E. 2. pars.
2. in dorso bis.

The 28th of May following, the same fifteenth year, an Inquiry by Jury was before Judge Stonere and others, Comissionors, whether Thomas de Berkeley (this lords eldest sonne,) Thomas the sonne of Maurice de Berkeley, and other mallefactors, have entered into the manors of Dadington, Kirtlington, Periton, Haseld, Spelsbury, Afcote and others in the County of Oxford, then in the kings hands, and **288** the gates and windows have broken, and | Chests there found have broken up, and have from thence taken away 500 horses. and other beasts, 3000. sheep, 400. swine and one hundred swans, of the value of 2000^{li} and have destroyed the deere in the parkes there, and other horrible mischeifs done in the said County—**Which** was not to bee denied.

pat. predict., dorso.

The like at the same time were the outrageous facts of Maurice y^e second sonne of this lord, and of Thomas the sonne of Maurice, and other their complices, in the mannors of Spenhenton, Stanford & others in Barkshire.

eodē in dorso.

And the like Comissions and presentments were made in divers other Counties for Spoyles and depredations by them comitted without measure or mercy.

pat. 1: E. 3. m. 8.

But in the end they were disperfed, and Thomas this lords sonne and heire taken and comitted to the Tower of London, from whence escapeing by breaking
of

of prifon, hee fued his pardon the 23th of March in the first year of Edward the third, fower years after ; But againe was taken, as after followeth in his life.

And if our common chronicles come either fhort or relate fomewhat differently, (as they doe,) from thefe narrations, I fay as before, I willingly depart from them, when they from records, and alfoe difagree amongft themselves.

This lord Maurice thus a prifoner, Hollinghead and others tell us that S^r John Goldington and others, by a great confpiracy in the year after his comittment, praftifed to have deliverd him and others out of Wallingford Castle, whereinto though they had enterd, yet failed of their enterprife, whereby many of them loft their lives, and the prifoners were more clofely looked unto.

Howbeit records deliver it thus, That in the end of January in the 16th year of the kinge, S^r Nicholas Beech, S^r John Goldington, S^r Wittm de Wauton, John de Hereford parfon of Depeden, and a great rout of other malefactors, feditioufly enterd into the faid Castle with Armes, And for a time held fome part thereof againft the king, but were not able to deliver this lord and his fellow prifoners though they were aided by divers rebellious Londoners, who at the fame time had the like defigne upon the Tower of London & the prifoners there ; But failing in both, fome of them were taken & executed, and fome efaped, but for S^r John Goldington hee was | punished by the purfe with the fine of five hundred marks, which made his peace ; And S^r Wittm de Wauton, (who was lord of Cromhall,) for fomewhat a leffe fine.

It was the fifth of February following endeavored with a Jury of Barkhiere before Judge Stoner and other Comiffioners, to have found thefe two lords guilty of adheringe and confenting to this attempt of Goldington and his fellowes, and foe to have proceeded againft their lives, but they efaped the danger.

The confideration whereof confirmeth the truth that they were comitted contrary to the faith of their fafe conduft, And therefore the State could not with honor proceed upon their lives for former offences : howfoever otherwife ready enough to have drawn blood upon any new occation, as this of prifon breaking or the like. For where hatred and offences were alike, like punishment would have overtaken thefe two lords as did their affociates, who haveing the 16th of Mar: next after the comittment of thefe lords loft the battle at Burrowbridge, were, (fuch of

Stow. fol. 333.

How 220.

Hollinges. 326.

327.

Daniell. 178: 179:

Powell et alij.

Hollinges. fo. 333.

Wallingham. 118.

fin. 16. E. 2. m. 5.

24.

pat. 16. E. 2. pars 1.

in dorfo.

pat. 17. E. 2. pars.

2. m: 17. 18.

289

pat. predict.
in dorfo.

Daniel et al.

them

them as were taken alive) the sixth day after beheaded hanged and quartered with much cruelty at Pomfret in Yorkshiere, w^{ch} histories do note to have been the first execution of that direfull kind upon the Nobility, that this land had ever beheld.

carta in castro
de Berkeley.

claus : 20. E. 2.
m : 1.

An other inducement also of breach of their safe conduct, is the kings manner of dealing with divers of this lords evidences, and with many of his Jewells goods and chattles, which about the time of his repair to the Court upon the foresaid safe conduct, hee had privately conveyed to Bristoll ; whereof the kinge afterwards takinge notice, would not seaze and take them as forfeited, but caused them to bee by Indenture delivered to the Abbot of S^t Augustines safe keeping, where they remained till nine months after his death when upon Ashwednesday in the first year of King Edward the third, by the then kings comānd, they were then delivered to his heirs and executors ; Amongst which were two coffers of Ivory plated with silver, guilt with gold, eighteen garnish of silver vessell, A violl of pretious oyle, A peece of the wood of the holy crosse, divers pearls, Emerauds, Rubies, and Saphires, A pair of paternosters¹ of great pearle, two cresses of Gold, the booke of the law called Breton, The legend of Saints, and divers other of great value ; which parcells I have here in particuler in part exprest, to shew this lord, in what was his and the ornaments of Berkeleys Barons, which in these days they most esteemed amongst their goods and chattles.

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claus. 19. E. 2. m :
5. 21. et. 22.

An the nineteenth of King Edward the second were many secret practices afoot | for seazing of Castles and setting prisoners at liberty, for the discontented commons ready to rise in Armes, wanted discontented leaders, which caused the kinge to remove both fodainly and secretly great numbers of his principall prisoners both male and female, (for Ladies and gentlewomen were alsoe practizers,) from one Castle to an other ; And to write to the constable of this Castle of Berkeley, (as to fowerteen others the like,) That upon perill of his life and members, (sub periculo vitæ et membroꝝ,) and upon forfeiture of all his goods and chattles, hee should keep all his prisoners safe, soe that none of them should escape out of this castle.

His Miscellaines, husbandries and hospitality

Havinge thus in a continued narration opened the life of this lord Maurice in his martiall employments at home and abroad, with the black succefs which ever attends

¹ A pair of Beads is a common term for a rofary which this must mean. The small beads were probably of pearls, but pearls could scarcely be found large enough for the large beads, and these probably were of Gold. The expression "a pair of stairs," or a "pair of drawers," meaning a chest of drawers, is still very frequently heard. [Ed.]

attends rebellions, I will a little overlook some other passages of his life and present his posterity with some broken peeces thereof, as I found them in my way, And then proceede to his wife and children, in whom all his errors are happily repaired.

In the thirtieth year of Kinge Edward the first, this lord gave leave to the Abbot of Kingeswood to convey water to his monastry out of hawparke by Wotton, provided alwayes that when the Abbot and covent mended their pipes, they should bringe with them neither bows arrowes crosbowes nets nor other engines, or doggs, to hunt or kill his Deere in that parke; whereto this lords father and his brother Thomas of Wimondham were witneses.

carta in castro
de Berkeley.

This lord Maurice new built the friery for the fryers and brethren in the Holmes, an Iland in Seavern and not far from his manor of Portbury.

comp.de Portbury.
8. E. 2. et Recept
eodē anno in castro
de Berkeley.

To the Abbot and covent of S^t Augustines by Bristoll, hee confirmed the purchase they made of their land at Bradley, (which is a farme in the tenure of Withm Leigh worth fifty pounds per annū at this day,) in lieu whereof they bound themselves to celebrate yearly in their monastry the Aniverfary days of himself and of his father and mother, and of Maurice his sonne, with the service of nine lessons and a Masse in the morning and the next day; And that every one of their Covent that is a preist should say one masse for the Aniverfaries. **I**n which Deed this lord is Stiled nobilis vir dñs Mauricius de Berkeley, it being in his fathers life time.

carta in Castro
de Berkeley.

Thomas de Georges, a Priest, had in the 34th of kinge Edward the first comitted felony, for which hee was indited at the Assizes in | Somersett-shiere, for whom this lord Maurice de Berkeley, Thomas de Gurnay and ten others became bayle body for body. The preist plays the knave, and appears noe more: many of the bailors are comitted to the gaole and fined, **T**hat kinge a little before his death at the Sute of Alienor Mautravers, the preists sifter, pardons the felony which Edward the second here allowes, And soe this lord Maurice and the rest nowe pleading the fame, are discharged.

claus. 4. E. 2.
m: 20.
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And this lord observing that one Richard Bolour in right of Jone his wife had good title to divers houses and lands in the Suburbs of Bristoll which hee fancied as lying fit to his mannor of Bedminster, hee drew y^m to Berkeley Castle, and there into Covenants That they should prosecute a writ quod ei deforciat against Roger Apleby and others who held the said land untill they should recover; And this sute

carta in castro
de Berkeley.

to bee at the charges of this lord Maurice and his Councell, And that they should use no other Councell but his and such as hee appoints, And that after recovery they should within fifteen dayes grant to him the said Maurice and his heirs reserving to the said Jone her life in one of the said houses, And to have ten pounds in money from this lord; for performance of which covenants this lord Maurice tooke of them a Statute of one hundred pounds: I leave the censure hereof to the divine rule *Quod tibi fieri non vis, alteri ne feceris*, And *fac alijs, fieri quod cupis ipse tibi*. Doe to others as thou wouldst bee done unto.

comp: de Portbury.
11. E. 2. in Castro
de Berk.

To prevent all presentments against him in the Comission of Trailbaston against intruders into other mens lands, extortioners, oppressors, Champnerers, and the like offenders, This lord bribed the Jury for Portbury hundred with the gift of twenty shillings: And such as would have given evidence against him with forty nine shillings, *pro favore habendo coram Justiciarijs de Trailbaston in negotijs suis ibi*, to have favor in his buisnesses before the Justices of Trailbaston.

comp: de Portbury.
14. E. 2. in castro
de Berkeley.

The husbandries this lord used were carved in the same mould his prudent father had cut out, which this lord Maurice rather amended: Soe carefull hee seemed to bee of his woods being preserved in a Country and time of plenty, That at his abodes at Portbury hee spent much turfe, yearly drawn out of certaine grounds there called oxcroft, which as they retaine the name to this day, soe are they from grounds of noe worth lately become good meadow and pasture; And if I added that my direction turned them and wrought that alteration, the tenants thereof would say I misreported not.

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The accompts of all this lords receipts and disbursements were ingrossed | yearly in parchment with singular exactnes, as also were his fathers: The profits of his three hundreds of Bedminster Portbury and Hareclive were allwayes cast up in one roll together, and one year with another yeilded him threescore pounds or more, As also they did to his father; which at this day yeald cleerly to their owners (I write what I know) scarcely three pounds; The observation whereof ministreth cause silently to bewaile the troupes of lawiers, Attornies, and Sollicitors; the Country malice and envy that rageth in this age with the inferior fort; they recourse to westminster hall, (our cockpitt of revenge,) upon each poor action and occation; the civill warres of my dayes there rageinge, wasting more treasure and time then the disunion of the houses of York and Lancaster ever did the unitinge: One of the maine causes why my neighbors growe poore with more, when their fathers grew rich with lesse.

The

The rankes and orders in this lords family, the expence in dyett and provissions, and the quality of his attendants after hee was called to parliaments amongst the peeres, was not inferior to his fathers; for plures adorant solem orientem quam occidentem, The sunne riseing hath more worshippers then the sunne setting Upon his return from the warrs in Scotland in the 8th year of King Edward the second, then also in prepareing to take upon him the government of Berwick, hee caused to bee taken an Inventory of his household furniture in each chamber in Portbury, wherein is exprested what was in cameris militum, in his knights chambers, in cameris armigerorū, in his Esquires chambers, and the like, whereof I shall observe more in the life of his sonne and heire: And in the 11th of the said kinge fower yeares before his father dyed, had fowerfcore and eight yeomen in ordinary at his houe in portbury.

comp: de Portbury.
8. E. 2: et al: in
castro de Berkeley.

comp: de Portbury
et garderob: 11. E.
2. in castro de
Berk:

Upon these and the like honorable bafes was reared the fair buildings of this lord Maurice, who not only had the honor and reall dignity of a peere of the realme in his fathers life time, as hath been said, but the materialls and stronge sinewes also; A great estate in jurisdictions, lands, and offices, to support it, equall unto if not exceeding his fathers: Soe that this Barony of Berkeley had nowe, enixa gemellas, eaned and nurfed up such a couple of twins, as the Kingdome in each instance could not parralell; But multis nimium, nulli fatis fortuna dedit, fortune hath given too much to many, enough to none, As this lords character declares: for discontent hee was, and accordingly hee tasted the fower fruites thereof, as before hath been declared: Onely happy in his wife and children as nowe doth followe. |

His Wife

It is before touched in part, howe this lord in the 17th of kinge Edward the first, tooke to wife Eve daughter of Ewdo lord such and of Millicent his wife, daughter and coheire of the lord Witm de Cantilupe and of the lady Eve his wife, daughter and co-heire of Witm de Bruese and Eve his wife, one of the sisters and co-heires of Marshall Earle of Penbroke; by whom in younger yeares then any of his ancestors or posterity, this lord had issue five sonnes and one daughter, as after followeth.

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Pasch: fin: in scēio
29. E. 1.

plita de banco in
hillar: 19. E. 2.
rot. 2. in dorfo.
pat. 6. E. 4. pars.
2: m. 5.

The portion shee brought in money was eight hundred markes payable by one hundred markes each quarter, save that fower hundred marks was paid at the end of the first: For security whereof shee gave her recognizance dated the 25th day of June in the 17th of kinge Edward the first, with condition that if shee failed pay-

claus. 17 E. 1.
in dorfo

ment

ment then to be levied of her lands in the Counties of Northton, Bedford, Rutland, Wiltesse, Somfett, Devon and others; which accordingly was paid and the recognizance discharged as the record shews, where also it is noted, That for this money the lord Thomas de Berkeley hath granted to the said Millicent, the mariage of Maurice his son and heire, shortly after which the mariage was.

pat. 20. E. 3. pars.
1. m : 18. 22.
fin : in banco : 13.
E. 1.
magn: cart: fol. 321
in castro de
Berkeley.
cart. irrot. in banc
regis : 17. E. 1.
Term. Trin.
plito de banco :
19. E. 1. rot. 2. in
dorfo. Term. hillar:
carta irrot. in arce
Lond. 17. E. 2.

The lady Millicent mother to this Eve, was first maryed to Oliver de monte alto, which name she retained all her second marriage, and in her second widowhood also; And by severall assurances conveyed to y^e said Eve her daughter the manors of Brightmerston and Mildeston in Wiltshire, with the advowson of Mildeston, to her and the heires of her body at one peny rent, And the mannors of Edenworth and Milverton and ten pounds rent in Bridgewater in the County of Somersfett in frank marriage with this Maurice. To which conveyance five Judges are witneses.

And at the same time in the said 17th of Edward the first, the lord Thomas the father of this lord Maurice, conveyed likewise to this lord Maurice and to his lady Eve then his wife, and to the heires of their bodies, the manor and Hundred of Bedminster, A member whereof was Radeclivestreet in Bristoll aforesaid, reserving the like yearly rent of one peny: And added further That if the said Eve survived her husband, shee should have dower of all his other lands, in regard, (saith y^e deed,) this mariage is made with consent of him the said lord Thomas de Berkeley. |

Termin Trin. in
banco 17. E. 1.
rot. 6.

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3. cartæ in castro
de Berkeley.
Rental : de Portb.
8. E. 2.
Comp. de Hinton.
8. E. 2. in castro
de Berk.
comp: de Portbury.
11. E. 2. et al : in
castro de Berkeley.

This Eve dyed on S^t Nicholas day (then the fifth of December) Anno 1314. in the eighth year of kinge Edward the second, after shee had been his wife twenty and six years; happy in her funeralls that shee lived not to see the rebellion and imprifonment of her husband and of her two sonnes Thomas and John, and herself to sue for maintenance, as two ladies her predecessors had done before her: And was buried in y^e p^rish Church of Portbury in the County of Somersfett; for the repose of whose soule dayly prayers were songe in the said church by a Spetiall preist.

carta in castro
de Berkeley.

claus : 20. E. 2.
m : 12.

About two years after her death this lord Maurice in the Tenth year of Edward the second, tooke to his second wife, the lady Isable daughter of Gilbert de Clare Earle of Glouc^r and Hereford, by whom hee had noe issue. Shee survived him, And haveing had soe little comfort of her first mariage, would not hazard a second tast of the fowre or sweet of wedlock: but dyed his widowe in the seventh year of kinge Edward the third. 1338.

For the maintenance of her youth before mariage, this lady Ifable had from the grant of her brother Gilbert Earle of Gloucester the sixth of December in the first year of Edward the second for her life, the manors of Shipton and Buriforde in Oxfordshire, Spenhamland in Berks and Faveld and Mars in Gloucestershire, which shee brought to her husband as part of her mariage portion, which the kinge the same yeare confirmed: **A**ll which with the rest of her husbands estate and lands being seized into the kings hands in the fifteenth of his raigne, because (faith the record,) hee was de querela. of the part of Thomas Earle of Lancaster in profecution of the Spenfers, Shee upon petition and Inquisition thereof by Jury found in the first of Edward the third, had nowe restitution unto, according to her estate in the same.

Efchaet. 1. E. 3.
in Oxon, Berks. et
Gloc:
claus: 1: E. 3.
pars. 1 m: 13.
pat. 8. E. 2. pars.
1 m. 1.
fin: 10. E. 2. m: 15
Ifable unmarried.

And the third of May following was by her sonne in lawe the lord Thomas Berkeley endowed with the manor of Wotton, and Wotton Marchant with the sayre and Market there, And of the manor of Symondsfall, which with the increase of 23^{li} 6^s 8^d out of the manor of Bedminster in Somersetshire, where by his second deed thirty eight days after the former, confirmed to her, whereupon by the same deed shee releaseth to him all actions and clayme to dower. |

carta in castro
de Berkeley.
magn: chart. fo. 16.
in castro de Berk.
carta in castro
de Berkeley.

And havinge had upon mariage and soone after establisht upon her the manors and hundred of Portbury, Kingeston Seimor, and some others, Shee by deed in the third year of Edward the third releaseth Portbury manor and hundred to her said sonne in lawe, reserving the residue in that County, after shee had gotten her pardon for such part of her Joynture lands as were holden in Capite, and conveyed to her without Lycence.

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carta cum Riço
Berkeley de Stoke
12. E. 2.
carta in castro
de Berkley.
fin. 20. E. 2. m. 5
claus: 20. E. 2. m:
12:

His Issue

1. **Thomas** eldest sonne of this lord Maurice, succeeded in the barony as after followeth.

2. **Maurice** was the second sonne of this lord Maurice, upon whose eminent deservings, not somewhat to enlarge, would wronge the three honored families of the Berkeleys of Stoke Gifford in the County of Gloucester, and of Bruton in the County of Somerset, and of Boy Court in the County of Kent, to all whome this Maurice was stockfather: In which places his male posterity with opulent possessions flourisheth at this day. 1624.

Berkeley of Stoke.

It hath already in the life of this lord Maurice, beene touched howe this S^r Maurice his second sonne attended his said father in the eighth and ninth years of Edward

Rot. Scotiae. 8. 9:
E. 2.
Rot. claus: 9. E. 2
m: 7:

Edward the second whilst hee was governor of Berwick upon Twede, then being a knight and about seaventeen yeares of age; And alsoe howe this S^r Maurice in the like māner attended the said lord his father in the tenth year of that kinge into Wales, when hee went thither Justicier of west and fouth Wales; And alsoe in his conduct of one thousand foote out of west Wales, and of two hundred out of the forest of Dean in the County of Glouc: and one hundred out of the land of Gower in Wales the year after towards the warres with Scotland. **And** alsoe howe this Maurice in like manner went with his said father and with his elder brother into Scotland in the eleventh yeare of that kinge, what time Roger lord Mortimer went generall of that army. |

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 Rot. claus: 11: E. 2.
 2. m: 19.
 claus. 13. E. 2.
 fol. [252, 253.]

But howe this S^r Maurice and his elder brother, Thomas Berkeley of Beoly their unckle, John Berkeley of Erlingham their cozen, Richard Veell and more then forty others, riotously enterd into Paynfwicke parke in the 7th year of kinge Edward the second, then the land of Adomarus de Valentia Earle of Penbroke, makinge havocke of his Deer there; And howe unmannerly they after handled the Coroners of that County when they were to have been outlawed for the said fact, with the issue thereof, see after in the life of the lord Thomas the third.

Rot. fin. 15. E. 2.
 m: 19

Wallingham fol:
 115.

Eschaet. 15. E. 2.
 N^o. [46]
 fin. 16. E. 2. m: 26.
 divs. cartæ c^m
 Riço Berkeley de
 Stoke
 10: 11: et. 12. E. 2.
 divers: cartæ in
 castro de Berkeley
 11. E. 2 et 34. et.
 35. E. 3.

Rot. pat. 15. E. 2.
 pars. 2. bisindorfo.

pat. 19. E. 2. pars.
 2. et divers: at.

It hath alsoe bene formerly touched howe this S^r Maurice went with his father in the 13th yeare of the said kinge Edward the second into France when hee was made Steward of the Dutchy of Aquitaine: And how after his fathers returne for England and his pertakeing with the discontented lords against the two Earles Spensers in the fifteenth yeare of that kings raigne, the said lord contrary to his safe conduct, was from Cirencester comitted prisoner to the kings Castle of Wallingford, where fower years after hee dyed; **And** howe as well the lands of the lord Maurice as of this S^r Maurice his sonne were seized into the kings hands as forfeited for that their rebellion: At what time hee had the manors of Bradley by Wotton in the County of Glouc., and Brightmarston and Mildeston in the County of Wilts, And the manors of Edenworth Milverston and Kington Seimor in the County of Somset, and some others by divers grants from his father and grandfather.

It hath alsoe bene declared howe this S^r Maurice and his elder brother Thomas with other their kinsmen and complices, rebelliously whirled about into many Counties of this Kingdome, burning and destroying whatever they could find that was the said Earles Spensers in revenge of their fathers unjust committment; **And** howe after many proclamations and Comissions for their suppression and apprehensions,

Thomas

Thomas was taken prisoner and committed to the Tower of London; but this Maurice was one of those who by his often and secret shiftings cautiously avoided the Toyles pitched for his taking, till the state changed within fewer years after foe topsy turvy that the kinge himself was made a prisoner, and the two Earles Spensers executed as Traytors: **Upon** which change of wind and tide, This S^r | Maurice from 297 his hidden and lurking places of retirement, presented himself abroad in Armes, and foe ably assisted the Queen and her party in pursute of the kinge her husband and other her enemies, That immediately hee fell into special favor with the Queen and the young prince her sonne called Edward the third, as now followingly is declared.

The 22th of February, (a month after Edward the third began his raigne,) this S^r Maurice had restitution of all his manors and lands in the Countyes of Glouc. Wiltes and Somersset, which had bene formerly seized into the hands of kinge Edward the second for his rebellion as aforefaid: All or the most whereof continued in his male posterity till this and the last age, as after doth appeare **And** shortly after his restitution, the lord Thomas his elder brother, in the third year of Edward the third, confirmed to him and to the heires males of his body the forefaid manors and lands.

claus: 1. E. 3. pars
1. m: 22 et in dorfo.

cartæ in castro de
Berkeley. 3. E. 3.
et. 18. R. 2.

And the like confirmation of the said manors of Brightmefton and Milverfton was in the 18th of kinge Richard the second, made by Thomas the fourth then lord Berkeley to this S^r Maurice Berkeleys grandchild then of Stoke Gifford aforefaid.

cartæ ċm. Riċo
Berkeley de Stoke.
18. R. 2.

The 17th of December in the first yeare of Edward the third, the Kinge, then at Winchcomb in Gloucestershire, grants to this S^r Maurice the custody of the manors of Tewxbury and Sodbury then in his hands by the attainder of Hugh Spenser the younger, whereof restitution was after made to Ellenor his widowe, because they were of her inheritance faith the record.

fin. 17. E. 3. m. 2.
claus. 2. E. 2. m. 30.

The 21th of Aprill in the same yeare, the kinge sent this S^r Maurice wth two others to bring from the Castle of Bristol to him into the North parts where then hee was with his Army, such Armories and other munitions as were there, with a mandate to all Sherrives and other subjects to be ayding to them in that service, and to provide them cariages &c. At which time this S^r Maurice was keeper of the said Castle with his brother John, as after followeth.

pat. 1. E. 3. pars. 2.
m. 27.
pat. 4. E. 3. pars
2. m: 8.

The 22th of Aprill in the second year of Edward the third, this S^r Maurice was made Constable of the Tower of London, which place hee held till the 22th of August following.

liberat. 2. E. 3.
m. 1.
Rot. fin: 2. E. 3:
m. 13.

The

298
pat. 2. E. 3 : pars
1. dorfo.

The 4th of March in the said second year went out a Comission to hear | and determine the offences comitted by Berenger and others in takeing away eight horses, twelve oxen, forty sheep, and thirtytwo Swanns from this S^r Maurice, out of his manor of Brightmerston in Wiltshire.

Pat. 2. E. 3 : pars.
2. m : 2.

The 26th of December in the same yeare, the kinge then at Glouc^r, by the assent of Ifable his mother, comitted to this S^r Maurice the custody of the Castle and Town of Gloucester, To hold at pleafure, wth a mandate to all officers to bee aidinge to him therein as need should require.

Extract don: 4. E.
2. m. 12.
pat. 4. E. 1. pars.
1. m. 14.

The 4th of July in the 4th yeare of Edward the third, It was at Woodstock agreed between the kinge and this S^r Maurice That hee should attend the kinge all his life time, And in his warrs to serve him with 14 men at Armes And in time of peace to attend his perfon : for which the kinge grants him - 90^{li} per annum to be received yearly from the Prior and Covent of Kirkstall, who paid foe much yearly into the Exchequer : And to have also the wholl farm rent of Andevor.

pat. 4. E. 3. pars.
1. m : 7 : 32.
fin : in banco : 4.
E. 3.

The 12th of Aprill the same year, this S^r Maurice purchased the manors of Kings weston and Ailberton in ffee of S^r Thomas Ap-Adam holden in Capite : And the 23^d of July following hee had a Lycence to demise divers parts of those manors holden in Capite for life or years to any of his Ten^{ts}

Extract don: 5.
E. 3.
pat. 5. E. 3. pars.
1. m : 2 : et pars. 2 :
m : 34.

The Thirtieth of May in the fifth of Edward the third, the kinge granted to this S^r Maurice for his life in consideration of the good and laudible service to him done, the manors of Mawerden and Winferton in the County of Hereford, which were Roger lord Mortimers of Chirke, of the value of one hundred pound per Anⁿ.

fin: 5. E. 3. m: 25.

The 27th of February the same year for like consideration, the kinge grants to this S^r Maurice the manor of Penrith, to hold at pleafure.

Extract don. 6.
E. 3.
fin: 6. E. 3. m: 1.
pat. 6. E. 3: m: 4.

The 22th of January in the 6th of his raigne, the kinge for like consideration granted to this S^r Maurice for his life, the manors of Fulbroke and Westhall and divers lands in Upton, Toueton, and Swynebroke in the County of Oxford which were Hugh le Dispensers the elder.

claus : 7. E. 3
pars 1 : m : 9.

The twentieth of Aprill in the 7th of his raigne upon this S^r Maurice his petition to the kinge, shewing that fifty marks were unpaid to him of that hundred pound

pound which hee was to receive for thirty men at Armes, which hee retained in his company at the Seidge of Berwike, the kinge now allows it him out of his farm rent of ffulbroke and Westhall aforefaid. |

The first of November in the 8th of his raigne, the kinge then at Newcastle upon Tyne, in consideration of the good service of the said S^r Maurice, grants to him the custody of all the Castles manors and lands aswell in England as in Wales which John Mautravers late held, being of the inheritance of John Gifford of Brimesfeild deceased, and which by the forfeiture of John Mautravers came into the kings hands, To hold for his life according to the extent thereof made.

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fin: 8. E. 3. m. 4

The tenth of July the same yeare, the kinge pardons this S^r Maurice the offence hee comitted in killing some of his Deer in his forest of Shirewood.

pat. 8. E. 3. p

1: m. 6:

The fifth of August in the same yeare, This S^r Maurice hath a licence to alien in fee the manors of Kingweston and Aylberton in the County of Glouc. to Thomas lord Berkeley his brother and to Willelm de Side, (who was that lords steward,) And that they may regrant them to himself and to Margery his wife and to the heires of himself: At this time, it seems this S^r Maurice married, And these two manors hee, in the fourth of this kinge purchased in fee of S^r Thomas Ap-Adam knight as aforefaid.

pat. 8. E. 3. pars:

2: m. 38.

pat. 4. E. 3. pars.

1. m: 32.

The 23th of February in the nyenth of his raigne, the kinge, then at Newcastle upon Tyne, grants to this S^r Maurice in consideration of his good services done, all the goods and chattles which were of John Mautravers the younger or which hee had the day hee forfeited them, in whose hands soever they bee.

pat. 9. E. 3. pars.

1. m: 35.

The third of June in the same year, the kinge pardons this S^r Maurice, S^r Willelm de Whitefeild, and the Abbot of Malmesbury, for receiving John Mautravers the younger after hee was banished the Kingdome.

pat. 9. E. 3. pars.

1. m: 14.

The eighth of June the same yeare, the kinge, then at Yorke, in consideration of the dayly good services of this S^r Maurice abated the fee farme rent of ffulbroke and Westhall from 48^{li}. 19^s. 04^d to twenty pound p anñ, and foe this S^r Maurice to pay afterwards.

fin: 9. E. 3. m: 13.

In the same nyenth yeare the kinge in consideration of the dayly services of this S^r Maurice, gave him two great Wardshipps, expressed in the record.

Extrac^t doñ. 9. E. 3.

claus: 9. E. 3. m:

5: et. 15.

pat. 11. E. 3. pars.
3. m : 8.

300

Extrac^t doñ. 11.
E. 3. m : 3.
eodē. m. 8 : 9.

The 18 of December in the eleventh yeare, the kinge grants to this S^r Maurice and his heires, the manors of Kingstanley, Rockhampton, Stonehoufe, Stoke Gifford and Walls in the County of Glouc. and the manors | of Ashton als Asherton, Corton, Sharnton, Codeford and Stapleford in the County of Wilts, All which were John Giffords the rebell, To hold them of the cheife lords : And a writ then went forth to Margaret the widdow of the said John Gifford comaunding her to Atturue for the said manors of Stonehoufe, Stoke Gifford, Walls and Ashton which shee holds for her life : And in this record it is testified howe this S^r Maurice de Berkeley was daily at the kings side assisting him and continually employed in his service.

Extra : doñ. 11.
E. 3. m : 6. et : 9.
pat. 11. E. 3. pars.
3. m. 37. et pars. 1.

And the twenty-eighth of March in the said eleventh yeare, the kinge grants to this S^r Maurice and Margery his wife in consideration of his daily services, the said manors of Mawerden and Winferton in the County of Hereford, and the manors of Fullbroke and Westhall in the County of Oxon, and divers other lands and tenements in Upton, Tainton and Swinbroke, To hold to them and the heires of the said S^r Maurice.

Rot. Scotiæ. 11.
E. 3. m : 7.
Rot. vascoñ. 11.
E. 3.

In this year went out a Comission to James de Audele and to this S^r Maurice de Berkeley, lords of Cantebaghan in South wales, to aray 500. men for the kings present warre in Scotland, and five hundred more for his present warre in Gascoigne.

pat. 12. E. 3. m.
12 :

The 16th of July in the 12th of Edward the third, this S^r Maurice went over with the kinge to his warrs in France, and had his tres of protection and of freedom from futes and disquiets in his estate whilst hee should bee in the kinges service.

fin. 13. E. 3. m :
ult.

In the 13th of that kinge, dyes Margarett the widowe of John Gifford of Brimesfeild, whereby those foresaid manors which shee held for her life, fell to the possession of this Sir Maurice and his heires.

claus : 13. E. 3.
pars. 1. m : 13.

The 8th of Aprill in the said 13th yeare, the kinge comands his Treasuror and Barons of the Exchequer, to cast up all the debts which this S^r Maurice owed him, and to certifie him thereof under their seals, which were shortly after releafed unto him.

Pat. vascoñ. 13.
E. 3. m : 7.

301

The 25th of November the same yeare, the kinge then at Antwerp, in his patent made to this S^r Maurice, hath thus, Sciatis quod nos | probitatem strenuam et fidelitatem probatam dilecti et fidelis nostri Mauricij de Berkeley, necnon locum bonum quem

quem in guerris et alijs negotijs ñris indies nobis tenet, debite meditates, dedimus ei, the Cattle and manor of Brimesfeild in the County of Glouc, which was John Mautravers our enemy and rebell, faith the kinge, To hold to the faid Maurice and his heires at—28^{li} 10^s 00^d rent.

The 8th of March the same year, the kinge grants licence to this S^r Maurice to enfeoffe Thomas lord Berkeley and Peter de Berkeley, Clark, his brothers, of his manors of Kingestanley Stonehouse, Rockhampton, Stoke Gifford and Walles in the County of Glouc. and of Sharnton, Corton, Codeford and Orchafton, and the moytie of the manor of Elifton, in the County of Wilts, all holden in Capite, And for them to regrant the faid manors to him the faid Maurice for his life, the remainder to John Mautravers his nephew and to the heires male of his body, The remainder to the right Heires of the faid S^r Maurice for ever.

pat. 13. E. 3. pars.
1. m : 22.

The 8th of Aprill in the 14th yeare of his raigne, the kinge recites That whereas in the thirteenth yeare of his raigne hee gave to this S^r Maurice and his heirs the Cattle and manor of Brimsfeild which was John Mautravers, paying 28^{li} 10^s rent per Annum, Now the kinge, for considerations mentioned in that patent, and for the good services of the faid Maurice done since unto him, grants to him the faid Maurice, the faid Cattle and manor with all the knights fees, warrens, parks &c., to the same belonging, To hold to him and his heires without rent, of the cheife lord by the services accustomed, And to bee discharged of all the rents and arrerages behind unpaid. A defect in which grant is by a new grant repaired in the sixteenth of that kinge.

pat. 14. E. 3.
pars. 1 : m. 15.
Extracⁱ don : 14.
E. 3. m : 17.

And the 18th of June in the faid 14th yeare, this S^r Maurice goeth with the kinge in his warres to France, And hath his tres of protection and freedom from futes as before : And makes Wiſſm de Side and Wiſſm de Cheltenham, his eldest brothers two principall officers, his Attornies in all buisineses in his absence. |

Rot. Allemon
14. E. 3. m : 21.

The 22th of June in the same 14th yeare this S^r Maurice had the kings warrant to receive—156^{li} 3^s 4^d due to him for his wages whilst hee last served the kinge beyond the seas, to be paid by the receiver of the subsidies : And the like for 146^{li} 3^s 4^d the yeare after.

302
claus : 14. E. 3.
pars. 2 : m : 43 et.
15. E. 3 pars. 1.
m : 8.

In the 16th yeare of this kinge, this S^r Maurice went with the kinge into France to the warres there, of whose (retinentia) retinue, were, (amongst others),

Rot. franc. 16. E.
3 m : 26.

John Mautravers the younger, John de Button, Nicholas de S^{co} Mauro als Seymour, and Simon Baffett, knights, his Gloucestershire neighbours.

claus: 15. E. 3.
m: 11.
fol. [337] **In** the fifteenth yeare of this kinge, was this S^r Maurice created a Banneret, as also was Thomas de Bradfton his unfeperable companion in Armes, of whom I shall write in the life of the next lord Thomas the third.

claus: 16. E. 3.
par. 1. in dorfo.
The 25th of February in the said 16th yeare, the kinge fomons a great Councell in the nature of a parliament to be holden at Westminster in cīno clauſi Pasche next, And fends his writ, (amongſt others of the nobility,) to this S^r Maurice de Berkeley vt interſit nobiſcum et cum prelatiſ et ceteriſ magnatibꝯ Anglie, conſilium impenſurus de arduiſ rebus regni: By the ſame words is a Baron by writ created at this day called to a parliament, as already in theſe relations hath been ſhewed.

claus. 16. E. 3.
par. 2. m. 32.
claus: 17. E. 3.
pars. 1.
The 25th of July in the ſame yeare, this S^r Maurice had a warrant to receive his wages for himſelf and his twenty men at Armes, thus viz^t for himſelf being a Banneret. 4^s per diem, for each of his fower knights. 2^s per diem, for each of his Efquiers 12^d per diem, And for every Archer 6^d per diem; which was paid him out of the cuſtome of woolls at fix pound per ſacke.

Scotia. 17. E. 3.
m. 4.
The 18th of Auguſt in the 17th of this kinge, this S^r Maurice, Henry de Percy and Thomas de Lucy are ſent Comiſſioners into the Marches of Scotland, to treat and agree with William Earle Dowglas, and to drawe and receive him into the kinges favor and freindſhipp and to ſecure him thereof, and to doe all things con-
ducing to that end. |

303
Scotia 17. E. 3.
m. 4.
In the ſame roll it is recited That at the inſtance of the pope and of the reverend fathers the Cardinalls ſent from him, the kinge is content to treat of a truce with the kings of ffrance and of Scotland; And accordingly this S^r Maurice and others are ſent into the Marches of Scotland with abſolute authority.

Rot. franc. 17:
E. 3. m: 16.
Hollings: fol: 364.
Addition to Trevet.
pat. 17. E. 3. pars.
1. m: 20.
claus. 17. E. 3.
pars. 1. m. 8.
And upon his returne in the begining of February following, went with the kinge into France, where againe this S^r Maurice is a Comiſſioner from the kinge, joined with Henry of Lancaſter the Earle of Derby to treat with the Comiſſioners of the French kinge about the Crown of France, when a truce for three years was agreed upon, and a reference of ſending further Comiſſioners to Rome, to ſtand to the agreement of the pope: **Which** imployments declare this S^r Maurice to bee a very able gentleman, fitted tam marti quam mercurio.

The

The Twentieth of May in the fame yeare, the kinge gives this S^r Maurice for his good service, two hogheads of wine yearly for his life out of the Port of Bristol, and a warrant to his officers there to deliver them accordingly. codē pars. 2. m. 4.

The 15th of June in the 18th of his raigne, the kinge grants to this S^r Maurice, the custody of all the lands in Hert and Hertneffe in the Bishopricke of Durham, which hee held in right of the heire of Robert de Clifford his ward, rendringe the value found in the extent; for the valewing whereof I have observed, that the day before, this S^r Maurice made himself the sole Comissioner, and sped thereafter in his bargain. Howbeit the Jury called together refused to bee fworne or present, saying, they onely were to bee chardged by their Bishop and comissioners returned by him and his ministers, And therefore least they should incurr his excommunication and the curse of holy S^t Cutbert they refused. fin. 18. E. 3. m: 18.
pat. 20. E. 3. pars.
1. m: 1.

The next yeare the kinge remitted to this S^r Maurice his farm rent of Hert and Hertneffe in Durham aforefaid, which shews hee made good the kings grant to him, without S^t Cutbert & the Jury. claus. 19. E. 3.
pars. 3. m. 12.
extract doñ. 19.
E. 3.

The fame yeare this S^r Maurice went with the kinge in his warrs into France, And with him, de comitiva sua, of his retinue, the heires of Beaumont, Fleming, S^t John, S^{to} Mauro, S^t John Palton, S^t John Tracy, S^t Thomas Button, and many other knights, All which | had their freedoms and protections from futes, upon this S^r Maurice his testimony onely that they did goe with him under his colours. franc. 19. E. 3 ps.
1. m: 6: 8: 14.
304

The fame yeare the kinge granted to this S^r Maurice and to S^t Thomas de Bradstone joyntly, the custody of all the lands that were Cicelyes the wife of Bryan de Hickelinge, during the minority of Jone her daughter and heire. fin: 19. E. 3.
m. 26.

The 7th of July in the twentieth of Edward the third, this S^r Maurice went to the warrs in France, haveing S^r Simon Basset, Hugh de Rodborough and divers other the like retinue as in the former yeare; And nowe went the prince of Wales after called the black prince. franc. 20. E. 3.
pars. 1. m. 3.

The 21th of March before in the fame yeare, this S^r Maurice and the said S^t Thomas de Bradstone were authorifed to make composition with all persons in the Counties of Gloucester and Wilts, that were able and of ability in the valewe of their land to find a Soldier, and did not in the last yeare, according to the ordinance made, fines pro exoner-
acione militie. 20.
E. 3. m. 1. 2. 21.

made, nowe to pay foe much money as the charge of a foldier of fuch a condition came unto.

franc: 20. E. 3.
pars. 1. m. 24. et
in dorfo.

And were also employed to muster and Arme every man this year between . 16. and . 60. years in the faid Counties; And this yeare the preffes were the deepeft that are obferved in any age before, both to withftand the Scots and French both by land and fea at home, and to goe with the kinge and prince into France; wherein the Comiffions fay That Phillip de Valloys the French kinge had affembled an huge power at fea, machinans fi poffit linguam delere Anglicanam, intending to the untermoft (fic) of his power to extirpe the Englifh name.

eodem. pars. 2. in
dorfo bis.

Rot. obfid: Calefij
21. E. 3. in fccio.

Polichron. lib. 7.
cap: 44.
Daniell: fo: 200.
fol. [376]

And in thefe rolls divers Soldiers are difchardged in the Counties of Somerfett, Leicefter, Warrwick and others, quia de retinentia Mauricij de Berkeley, becaufe they were of the retinue of this S^r Maurice de Berkeley; whose retinue in Armes at that time was a Banneret fix knights, 32. Efquires, 30. Archers on horfeback and . 200. Archers on foot. **And** at this time it is collected by the mufters, that each great Captaine had for the moft part their own Tenants with themfelves: **And** now this 26th day of Auguft in this twentieth yeare of this kinge Edward the third, was fought the great battle of Crefcy, which intirely fell to the Englifh, as after in the life of the lord Thomas, this S^r Maurice his elder brother, is declared. |

305
pat. 20. E. 3. pars.
3. m. 3.

And nowe alfoe is John Copland made a Banneret for takeing the kinge of Scots prifoner in the warre called bellum dunellum, whilst the kinge of England was beyond feas.

fin: 25. E. 3. m. 22:
claus. 25. E. 3.
m. 21.

Efcaet. 21. E. 3.
no: 51. post mort.
Mauric. de
Berkeley.

And the 4th of September following in this twentieth year of his raigne, the kinge fits down with his Army before Callice, At the feidge whereof the retinue of this S^r Maurice was as aforefaid, where hee dyes the 12th day of February following, in the 21th yeare of Edward the third Anno. 1346. leaving Thomas his fonne and heire then thirteen years old, by the faid Margery his wife daughter and heire of S^r Maurice Berkeley of Uley, who furvived him and dyed his widowe three years after in the 25th of this king: To which Thomas as the Inquifitions after his fathers death doe shew, difcended in fee the manors of Mauden, and Wolfreton in the County of Hereford, the manors of Fulbroke and Wefthall in the County of Oxon, The Cattle and manors of Brimsfeild, Kingeftanley Rockhampton, Kingswefton, Aylberton, Stonehoufe, Stoke Gifford, Uley, and Bradley, in the County of Gloucefter; Kingfton Seimor and Edenworth in the County of Somerfet; and Sharenton Orchefton,

Orcheston, S^t George, West Codeford, Coreton and Bright-marston in the County of Wilts, and divers other lands and Tenements in those Counties.

The third day after the death of the said Banneret Maurice, the kinge grants to Thomas his sonne and heire, then alfoe with his father under the walls of Callice, for the laudable service sake of the said S^t Maurice done at that Seidge, Ac volentes eo pretextu, (faith the kinge,) honori et comodo Thomæ filij et heredis ipsius Mauricij providere, the profit of his fathers lands during his minority, together with his own marriage: And the 18th of March following againe confirms the same. And the third of June following the said Margery hath dower assigned to her of her husbands lands, over and besides those five manors whereof shee was Joyntly seized for life by her husbands conveyances, as is aforesaid.

Rot. franc.
Extrac. don. 21.
E. 3. m. 6. et. 10.
claus. 21. E. 3. ps.
1. m. 18. et. 5.
pat. 21. E. 3. pars.
1. m. 15.

Mich: rec. in fecio.
22. E. 3. rot. 23.
cum rein thefaur:

And the 13th of July followinge the kinge grants lycence to the [said] Margery to marry her self at her pleasure, when and to whom shee would; howbeit she never did. |

pat. 21. E. 3. pars
2 m. 7.

The Kinge haveing granted to the said Thomas sonne of the said S^t Maurice the custody of his own lands during his minority disceded to him from his father, some had wrongfully entered into part of them, The kinge the 8th of August in the 22th yeare of his raigne, comands Simon Basset knight his Escheator of Gloucestershire, and Robert Russell his Escheator of Wilts, that they severally restore those lands to the said Thomas, and to see hee have noe wronge.

306
claus. 22. E. 3.
pars. 1. m. 4.

The thirtieth of September following in the said 22th yeare A commission issues out in behalf of John Mautravers the younger, sonne of John Mautravers, to enquire by Jury in the presence of the said Thomas sonne and heire of S^t Maurice Berkeley deceased, whether hee in his life time did enfeoffe his brothers Thomas lord Berkeley and Peter de Berkeley Clark, of the mannors of Kingstanley and Rockhampton in fee, And whether the said lord Thomas released to the said Peter, and whether the said Peter regranted the same to the said S^t Maurice for life, the remainder to the said John Mautravers and to the heirs males of his body: And howe the Jury after the death of the 1st S^t Maurice found That hee dyed seized of the said manors in fee Simple, which was not foe; which question in regard of the great and generall Plague that raged over England, seemes for a time to have slept undetermined.

pat. 22. E. 3. pars.
3. m: 26. in dorso.

But at the parliament begun in the Twenty fifth of Edward the third the said John Mautravers was restored in blood, and to all his lands and goods as absolutely

as
Rot. parliam. 25.
E. 3. pars. 2. n^o 55.
claus. 25. E. 3.
m. 12. et 17.

claus. 19. E. 3.
pars : in dorfo.
m. 22
Rot. parliam. 21.
E. 3.
cart. et patent. 21.
E. 3. m. : 19, cum
rex fuit in obfid :
Calefij.
pat. 25. E. 3. m.
22. pars. 2.

as hee flood in the fourth of that kinge when hee was attaynted by parliament upon fufpition of the death of Edmond Earle of Kent the kinges unckle, hee then being abfent out of the Realme : And accordingly hath his writs to the Sherifes and Efcheators to bee put into the poffeffion of the mannors of Coreton, Sharnton, Codeford, Stapleford and Afherton in the County of Wilts, which had been granted to the faid S^t Maurice de Berkeley as aforefaid : And for the Caſtle and manor of Brimesfeild, and for the manors of Kingeftanley, Rockhampton, Stonehoufe, Stoke Gifford, and Walles in the County of Glouceſter, which alſoe had been granted to the faid S^t Maurice Berkeley as before appeares, And the like into all other

307 Countyes where hee had any lands. And in the patent | roll of this yeare are the reaſons of this reſtitution excellently rendred, with a declaration of the ſubjects birthright, whereto the other records in the margent excellently tend ; As alſo do the records of Rot. claus : 15. E. 3. membr : 14. And rot. patent. 15. E. 2. pars. 1. m. 4. bis. And rot. parliament. 14. E. 2. holden at Weſtminſter, And rot. parliament. 15. E. 2. holden at Yorke, And rot. parliament. 21. R. 2., And rot. claus : 19. E. 3. pars. 2. m. 22 : in dorfo, And rot. parliament. 21. E. 3. for reverfall of Mautrevers attainder, And rot. parliament. 6. H. 6. touching the Duke of Glouceſter, worthy upon occaſion to bee conſulted withall, the choyceſt peeces that are of Record in the kinges courts.

claus. 25. E. 3.
m. : 21.

The 26th of May in the 25th of his raigne, the kinge recites That whereas hee had the 28th of March in the 21th of his raigne, in conſideration of the good ſervice of S^t Maurice Berkeley who dyed at the feidge of Callies, granted to Thomas his ſonne and heire then within age, his fathers lands, togeather with his own marriage, That now to doe him a further pleaſure; being to goe with him in his warres beyond feas, And that he may decentius et potentius ſe parare more decently and powerfully provide himſelf, hee grants unto him the lands that Margery his mother lately deceaſed held for her life ; And at this time was this Thomas but ſeaventeen years old and three monthes.

fin. 28. E. 3. m. 2 :

The 12th of June in the Twentyeighth yeare of Edward the third, this Thomas de Berkeley nowe called of Vley, ſonne of S^t Maurice de Berkeley, for twenty marks, had a licence to purchaſe in fee the manor and Advowſon of Rockhampton of the faid S^t John Mautrevers, which was nowe regranted to the faid S^t John Mautrevers and to the heires males of his body, with a remainder to the heires of this Thomas in fee : In the iſſue of which Thomas it continued till S^t Richard Berkeley in the, 6th 7th 8th 9th and 10th years of Queen Elizabeth ſeverally allyened the

claus. 28. E. 3.
dorfo.

the same to the particular farmers thereof; And this yeare alsoe was the said Thomas Berkeley of Uley knighted. |

In July in the 29th of this kinge, this S^r Thomas de Berkeley goes beyond seas with the Prince of Wales into France; And haveing a little before married Katharine sifter and coheire of John Buttetort Esquier, sonne and heire of S^r John, (who as a peere of the realme and fomed to the parliaments in the 3. 4. 5. 6. 7. and 8th yeares of Edward the second,) fettles his estate in the manors of Kingweston, Aylberton and others upon her for her life: And nowe went alsoe in company together Maurice eldest sonne of Thomas lord Berkeley his cozen germaine, S^r Nicholas Berkeley of Dursley, S^r Peter de Veell sonne and heire of S^r Peter de Veel of Tortworth, and divers other of those parts, as after followeth. And before his return, was in the yeare followinge at the wonderfull battle of Poitiers, soe incredibly celebrated in histories, wherein the English had twice soe many prifoners as they were themselves, whereof more is said hereafter in the life of the next lord Thomas.

The 8th of September in the 33th year of his raigne, licence is granted to the said S^r Thomas Berkeley of Vly to let his lands in Brugham, Merfinden, and Herhill, in Scotland neere Berwike, which now lye waste and untilled, to what persons hee would. **A**nd the kinge at his request takes into his protection, all such his tenants and farmers the better to encourage them to take of him; And this the rather because hee is nowe going with us into France, faith the kinge in this record.

The 28th of October following, the kinge took ship, and with this S^r Thomas de Berkeley of Vley, went S^r Edward Berkeley, S^r Nich^s Berkeley, S^r Simon Baffet of Vley, Maurice sonne of Maurice Berkeley grandchild of Thomas then lord Berkeley, S^r Peter de Veel and others of that family and neighborhood; And the kinge returned the 18th of May next after.

In the 35th of Edward the third, dyed the said S^r Thomas de Berkeley of Vley, the fryday before Michmas day then twenty seaven years old; And held the manors of Kingweston, Aylberton, Vley, and Kingston Seimor, Joyntly with the said Katharine his wife, who survived him, And the manors of Brightmerston and Mildeston in | the County of Somersset to himself and his heires, And the manors of Ruthnocke and Stratfeild in Hampshire, leaving Maurice his sonne and heire then three years old, whose wardship for body and lands, was for fowerfcore marks granted

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pat. 29. E. 3. pars. 2. m. 17.

claus: 3. 4. 5. 6.
7. et 8. E. 2. inter
fomon pliam:
franc. 29. E. 3. m. 8.
fin. 29. E. 3. m. 2.
Escaet. de ad quod
damñ. 29. E. 3.
nº 32
valcoñ. 29. E. 3.
m: 1. 5. 8.
Cooper fol. 241
et divers. al.

fol. [380]

Scotia. 33. E. 3.
m. 3.claus: 33. E. 3.
dorfo.

fin. 33. E. 3.
m: 5.
franc. 33. E. 3.
pars. 2. m. 14. 15.
18 et pars. 3. m. 3.

fin. 35. E. 3. m. 4.
et 5.
claus. 35. E. 3. m.
2. 3. 7.
Escaet. 35. E. 3.
pars. 1. nº 11.
fin. 11. R. 2. m: 12.

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Escaet: 11. R. 2.
fin: 37. E. 3. m. 8.
fin. 12. R. 2. m. 19.

Escaet. 11: R. 2.
post mort
Katharine.

granted the 12th of November in the 27th of Edward the third by the kinge, to S^r John de Thorpe to whom the said Katharine was remarried; And shee after dyed in the 11th of Richard the second.

pat. 50. E. 3. pars.
2. m. 4.

The 8th of January in the 50th of Edward the third, the kinge granted to S^r Edward Berkeley knight (of Dursley,) the custody of the mannor of Bradley in the County of Gloucester, which was the said Thomas Berkeleys of Uley deceased, being in his hands in the minority of Maurice sonne and heire of the said S^r Thomas.

franc: 3. R. 2.
m: 2.

eodē: m. 25.

The foresaid Maurice Berkeley in June in the third of Richard the second, then wanting three monthes of his full age, goes over to the warrs in France in the retinue of S^r Robert de Knolls. And the 12th of July following Robert Cherlton and Hugh Farrington were by the Kinge assigned guardians of the said Maurice sonne and heire of Thomas de Berkeley of Vley, yet within age: And goes into Britaine in the retinue of John Duke of Brittain the kings brother, to take care of his estate for a yeare following: In which voyage the said Maurice de Berkeley is knighted.

claus. 3: R. 2.
m. 6.

fin[i]s in banco.

The fifteenth of February in the third of Richard the second, this S^r Maurice fueth his livery for the manors of Rockhampton, Stoke Gifford, and Walles, which by a fyne levied in the time of Edward the third, were by John Mautravers knight entailed to himselfe and the heires males of his body, And for default of such issue to Thomas sonne of Banneret Maurice Berkeley of Vley knight and his heirs for ever; which S^r John Mautravers is now dead without issue male, And the said S^r Thomas Berkeley is alsoe dead, And the 1st S^r Maurice is his sonne and heire, who now proveth his age and hath livery of those manors.

franc. 6. R. 2.
m: 9.

And in the 6th of Richard the second, this S^r Maurice Berkeley of Uley goeth againe to the warrs in ffrance,

franc: 9. R. 2.
m. 33.

And in the 9th of Richard the second, the said S^r Maurice goeth againe in the retinue of Hugh le Dispenser for the defence of Gaunt. |

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claus. 15. R. 2.
pars. 1. in dorso.

The said S^r Maurice de Berkeley in the fifteenth of Richard the second, was one of the knights of Gloucester shire for the parliament.

vascon. 17. R. 2.
m: 10.

And in the 17th of Richard the second, this S^r Maurice went with John Duke of Aquitaine and Lancaster the kings unckle into Aquitayne.

In

In the 21th of Richard the second issued out a Comission to Thomas lord Berkeley and others to enquire of the parcell of ground which this S^r Maurice had inclosed at Stoke, and thereof made a parke without the kings lycence, wherein many of the kings leidge people claymed Comon; As alfoe to arreft diverſe rebellious perfons in Stoke, Winterbourne, and Frampton, who warlikely arrayed had made ſome attempts thereupon.

In the firſt yeare of Henry the fourth, this S^r Maurice for ten marks had lycence to alien the manors of Kingeſweſton, Ailberton, and Rockhampton holden in Capite to S^r John Berkeley of Beverſton and others, whereby hee eſtated Jone his wife for life, And the next year dyed on ſaterday after Michaelmas day in the ſecond of Henry the fourth, ſeiſed of the manors of Brightmerſton and Mildeſton in the County of Wilts, And the manors of Kingeſweſton Aylberton and Rockhampton in the County of Glouceſter, wherein the ſaid Jone hath her life; And of the manors of Vley, Bradley, Stoke Gifford, and Walles in the ſaid County of Glouceſter; And it is found that the ſaid Jone is gravida, great with child, which if it miſcarry, Then is Iſable daughter of Maurice Berkeley grandfather of this S^r Maurice, nowe dead, his heire aged fifty years; And the 21th of December following, the mannors of Kingeſweſton, Aylberton, and Rockhampton were delivered to the ſaid Jone, to hold for her life accordingly.

Jone is ſhortly after deliver'd of a ſonne called Maurice, the wardſhip of the body and lands of which poſthumus Maurice, ſonne and heire of the ſaid S^r Maurice and Jone, was on the 16th of February in the ſecond yeare of Henry the fourth aforeſaid, granted to S^r Francis Court one of the kings knights: And againe alfoe the 28th of November in the third of the ſaid kinge. |

And this poſthumus Maurice ſhortly after in the 8th year of Henry the fourth, then about eight years old, was by fix Inquiſitions in the ſeverall Counties of Worceſter, Warwicke, Southampton, Leiceſter, Stafford, and Buckingham, after the death of Joyce the wife of S^r Hugh Burnell onely daughter and heire of John Buttetort Eſq, ſonne of S^r John Buttetort knight, found to bee one of her cozens and heires, as alfoe of the ſaid John and S^r John Buttetort; That is to ſay ſonne of S^r Maurice Berkeley ſonne of S^r Thomas Berkeley and Katharine his wife, one of the ſiſters and coheires of the ſaid John Buttetort Eſq, children of the ſaid S^r John Buttetort knight, whereby upon the partition afterwards made amongſt the ſaid ſiſters and their iſſues, the poſſeſſions of this poſthumus Maurice were much enlarged;

pat. 21. R. 2. pars
3. m. 23. in dorſo.

fin : 1. H. 4. pars.
2. m. 8.
Paſch. fin. 12. R.
2. rot. 1.
Eſcaet. 2. H. 4.
n^o 39. in com.
Wilts.
fin. 2. H. 4. m. 35.
claus. 2. H. 4. m.
19. pars. 1.
ult. voluntas d^{cti}.
Mau^r. 1400. 2 H.
4. cum regiſtra.

claus. 2. H. 4.
pars. 2. m : 30.
pat. 3. H. 4.
pars. 1. m. 24.

311
Eſcaet. 8. H. 4.
n^o 46. poſt mort
Jocofæ vxoris
Hugonis Burnell.
fin. 9. R. 2. m. 7.
pat. 6. E. 4. pars.
2. m : 5.

larged ; And the manors of Weoly, Northfeild, and some others in the County of Worcester allotted to him and his heires.

Escaet. 9. H. 5.
nº 65. post mort
Johannæ, et. 10. H.
5. melius inquirend

By office in the 9th of Henry the fifth, the said Jone is found to have dyed in the 13th of Henry the fourth, And the said Maurice her sonne to bee nowe neere one and twenty yeares of age.

fin. 1. H. 6. m. 1.
clau: 1. H. 6. m. 2.
Escaet. 1. H. 6. nº
23. in com. Somfet
pro Kingston
Scimor.

The 29th of July in the first yeare of Henry the sixth the said posthumus Maurice sonne of the said S^r Maurice and Jone, nowe of full age and a knight, sueth his livery for his lands in the six Counties of Gloucester, Wigorn, Stafford. Southiton, Wilts, and Somersfet, which Henry the fourth and Henry the fifth had one and twenty yeares in ward.

franc: 5. H. 6. m.
7. 8.
rot. Cambij. 5. H.
6. m: 6.

In the fifth of Henry the sixth, this posthumus S^r Maurice went into France in the Army of John Duke of Bedford Regent of France ; and had lycence to returne fourty Pound to bee paid him there.

fin: 9. H. 6. m. 17.

And in the nyenth of Henry the sixth by the name of S^r Maurice Berkeley of Stoke knight was high-Sherife of Gloucestershire.

claus : 9. H. 6. in
dorfo: m: 7.
pat. 24. H. 6. ps. 1.
dorfo et mult. at:

312

And in the same yeare is inrolled a deed dated the twentieth of December in the eighth of Henry the sixth, whereby this posthumus S^r Maurice by the name of S^r Maurice Berkeley of Gifford Stoke, | knight, settled the manor of Vleigh upon himself and Ellen his wife and the heires of their two bodies, The remainder to his own right heires : About which time it seemes hee married the said Ellen. And for the most part hee lived in Worcestershire where hee was long in Comission of the peace ; And was also in Comission of the peace in the County of Gloucester in the Seaventeenth of Henry the sixth and allwayes after.

Rot. pdoñ. 36.
H. 6.

The kinge the 6th of January in the 36th of Henry the sixt grants to this S^r Maurice by the name of Maurice Berkeley of Stoke, knight, als Maurice Berkeley of Vleigh, knight, a generall Pardon.

claus: 38. H: 6.
in dorfo: m. 22.

The 4th of February in the 38th of Henry the sixt, this S^r Maurice Berkeley and John Bradstone Esq, became bound by recognizance to John Bishop of Worcester in .400. marks, with condition, That if the said S^r Maurice, Witm, Thomas and Maurice his sonnes perform the award of Richard Choke the kings ferjant at lawe,
and

and of William Nottingham the kings Attorney, and of Thomas Younge, Arbitrators, indifferently chofen betweene the faid Bifhop and them, Then the recognizance to bee voyd.

The 12th of July in the first of Edward the 4th this poſthumus S^r Maurice by the name of Maurice Berkeley of Weoly in the County of Worceſter, knight, aſs of Stoke Gifford in the County of Glouceſter, knight, hath another generall pardon ; And the 26th of November in the 4th yeare of that kinge dyeth this poſthumus S^r Maurice, feized of the often named manors of Kingſweſton, Aylberton, Rockhampton, Uleigh, Bradley, Stoke Gifford, and Walles, in the County of Glouc : And of Kingſton Seimor in the County of Somerſet, And of Rotherwike in the County of Southton, And of Brightmerſton and Mildeſton in Wiltſhire, And that Witm is his ſonne and heire twenty and eight years old ; after whoſe death Ellen his wife was endowed by writ dated the 23^d of February in the faid 4th yeare of Edward the 4th in the preſence of the faid William Berkeley Eſq, ſonne and heire of the faid poſthumus S^r Maurice, in the Counties of Glouceſter, Somerſet, Worceſter, Hampſhire, and Wiltſ.]

Rot. pdon. 1. E.
4. m : 24.

Eſcaet. 4. E. 4.
n^o 29. poſt mort.
Mauric: Berkeley
miltis in diverſis
Coin.

claus: 4. E. 4. m. 1.

This Witm Berkeley maryed Anne daughter of S^r Humphry Stafford, And by deed dated the 30th of Aprill in the fifth of Edward the fourth ſetled his manors of Rockhampton and Vleigh in the County of Glouc : and his manors of Brightmerſton and Mildeſton with the Advowſon of Mildeſton in the County of Wilts, upon himſelf and the faid Anne his wife and the heires of their bodyes, with the remainder to the right heires of himſelf.

313
claus: 9. E. 4. m.
26. in dorſo.

The 6th of November in the 9th of Edward the fourth the kinge grants a generall pardon to this Witm Berkeley by the name of Witm Berkeley of Weoly in the County of Worceſter, aſs Witm Berkeley of Northfeild, aſs Witm Berkeley of Uleigh, aſs Witm Berkeley of Stoke Gifford, aſs Witm Berkeley of Briſtoll, aſs Witm Berkeley of the City of Worceſter, Eſquier.

Rot. pardon. 9.
E. 4. m. 21.

The ſecond of February in the 49th of Henry the ſixt, (aſs the 10th of Edward the 4th.) this Witm hath from Henry the 6th a generall pardon, by the name of Witm Berkeley of Weoly in the County of Worceſt, aſs Witm Berkeley ſonne and heire of Maurice Berkeley of Vleigh, knight, deceaſed, with four other aſs dic^t. And in the 16th of Edward the fourth hath another generall pardon with eight alias dic^t: It ſeemes that either hee or the times were ſickley That hee ſoe often tooke phyſick of this kind.

Rot. pdon: 49 H.
6 m. 5.

Rot. Pardon 16
E. 4. m. 4

The

claus : 11. E. 4.
m. 4. in dorfo.
Mich: rec: 14. E.
4. rot. 5. in scēcio
cum rem: thesauſ.

The 23th of December in the 11th of Edward the fourth this Wittm by the name of Wittm Berkeley of Stoke Gifford, Esq, becomes bound to Ellen late the wife of Maurice Berkeley, knight, in fifty pounds to pay thirty pounds the first of November after.

pat. 11. E. 4. pars.
2. m: 17.

The 13th of December in the same 11th yeare, the kinge grants another generall pardon to this Wittm Berkeley of Weoly in the County of Wigorn, ats of Stoke Gifford, ats of Vley, Esquier.

Indenture in y^e pell
office. bundle 8.

And in the 14th of Edward the fourth this Wittm is by the kinge retained to ferve him in France with a band of men by Covenants agreed upon in a paire of Indentures between them, yet remaining in the pell office at Westminster. |

314
Rot. franc. 15. E.
4. m: 23.

In Aprill in the fifteenth of Edward the fourth, this Wittm Berkeley by the name of Wittm Berkeley late of Weoly ats of Vleigh, Esquier, goes beyond seas with George Duke Clarence the kings brother.

Rot. claus: 16. E.
4. m: 15. in dorfo:

fin: 15. E. 4. m: 19.

The 24th of January in the 14th of Edward the 4th Ellen lady Berkeley of Stoke Gifford widowe, late the wife of S^r Maurice Berkeley, knight. releaseth to Maurice Berkeley, Esq, her third sonne, all her right in the manors of Bradley, Wotton, Nibley, Comb iuxta Wotton, and in Bradston which the said Maurice late held to him and the heires of his body by the grant of Wittm Berkeley late of Weoly in the County of Wigorn, Esq, his eldest brother: which Maurice dyes in the 18th of Edward the fourth.

Mich: rec: in scēcio
cum rem thesaur:
27. Eliz: rot. 108.
original. 16. H. 7.
rot. 48. 55. in scēcio
cum rem thesauſ.

Rec: 23. H. 7.
rot. 17.

This S^r Wittm Berkeley, (knighted about the first of Richard the third,) was by parliament in the first of Henry the 7th attaynted of treason by takeing part with that kinge, slaine at Bosworth feild in the third of his raigne; And his manor of Stoke Gifford and others which by his Attaynder escheated to the Crowne, were shortly after granted by Henry the 7th to his unckle Jesper Earle of Penbroke and the heires males of his body: Howbeit this S^r Wittm obtained some part of his old possessions by composition in the 4th of Henry the seaventh; And in the 11th of that kinge was restored by parliament in bloud; And haveinge been tamperinge with the said Earle of Pembroke for rehaveinge of all his lands, the said Earle dyes without lawfull issue in the same 11th yeare of Henry y^e 7th. And alsoe this S^r Wittm dyes five years after in the 16th of that kinge, leaving issue two sonnes, Richard Berkeley of Stoke Gifford and John Berkeley of Bradley, not haveinge (as it may seeme) fully revested himself in all his ancient inheritance before hee dyed.

Term pasc. 16.
H. 7. in banco.
Glouc: Som
Wilts.

The

The said Richard eldest sonne of the said S^r Willm, by the grant of Henry the 7th in the said yeare of his fathers death, became perfectly settled in his fathers old possessions; And after maryed Elizabeth daughter of S^r Humphry Conisby, by whom hee had issue S^r John Berkeley of Stoke knight, and S^r Maurice Berkeley of Bruton kni^t, Anne maryed to S^r Thomas Speke knight, Mary maryed to S^r Willm ffancis, and Dorothy first maryed to S^r Nicholas Waddam, and | secondly to M^r Gibbes, of which daughters is plentifull issue; And after the f^d Richard dyed in the fifth yeare of Henry the eighth seized of the often mentioned manors of Stoke Gifford, Vleigh, Kingesweston, Rockhampton, and Berwike, in the County of Glouc: and of divers others in other Counties; (having in the 23th of Henry the 7th fold his manor of Kingeston Seimor to S^r Thomas Try,) leaving John Berkeley his sonne and heire then three yeares old.

The said John Berkeley eldest sonne of the said Richard maryed Isable daughter of S^r Willm Denis of Durham, grandchild of Maurice lord Berkeley the fifth of that name, the Marques Berkeleys brother and heire, by whom hee had issue Richard Mary and Elizabeth: And in the 35th of Henry the 8th fold to Richard Buckland Marchant, and others, his said manors of Brightmarstone and Mildestone in the County of Wilts, which had lineally descended in this line from the first gift thereof made to Banneret Maurice in the 11th of Edward the 2^d as before is written.

And the said S^r John in the 37th of Henry the 8th, (knighted the yeare before,) dyed of an hurt received by the splinter of a ship, (as I have been informed,) at Portesmouth, which in the 24th of June in that yeare, Anno. 1545. caused an addition to his will, as therein appears, leaving the said Richard his eldest sonne to bee the kings ward, then of the age of fowerteen yeares: whereby this faire branch may perceive it self in the seaven last descents since it issued from the elder stock to have been five times in ward, And the profits of their lands for 72 yeares duringe those wardships taken by the Crown.

The said Richard, eldest sonne of the said S^r John Berkeley, first maryed Elizabeth daughter to Willm Read of Milton Esq^r, by whom hee had issue Henry Berkeley, Elizabeth maryed to S^r Thomas Throkmorton of Tortworth knight, Mary maryed to S^r John Hungerford of Down ampny, knight, and Katharine marryed to Rowland Lee of Longborrow Esq^r, Ann and Dorothy; Of whom, and of Mary and Elizabeth, sisters of this S^r Richard and their severall issues, read after in the life of Maurice lord Berkeley, the fifth of that name: And secondly maryed Ellenor

original. 16. H. 7.
p^rdict.
Mich. rec. 27. Eliz:
rot. 108.
Mich. rec. 8. H. 8.
rot. 40.
original. 22. H. 8.
rot. 39.

315

Escaet. 5. H. 8.
in Cancellar.

Original. 22. H. 8.
m: 39. et. 6. E. 6.
rot. 44. in sc^oio
cm. rem. thes.

fol. [315]

voluntas Johis
Berkeley mil. 1545.
in cur. prerog.
Can^l.

Mich: fines 26.
Eliz. rot. 8. in sc^oio
cum rem: thesaur.

fol. [627]

Ellenor daughter of S^r Robert Jermy Esq^r and widowe of Robert Rowe Esquire, son of S^r Thomas Rowe Knight, by whom hee had noe issue; which Ellenor is yet liveinge. Anno. 1628. |

- 316 **This** S^r Richard, (whose unvaluable worth and well defervings in his Country governments I many years observed,) was knighted about the 11th yeare of Queen Elizabeth, And was in the 38th yeare of her raigne made Leivtenant of the Tower, to whose trust, (before commitment to that prison,) Robert Deverox Earle of Effex was comitted, to bee kept at Effex house in the 42th yeare of the said Queene.

buried in the
Gants church.

And was author of that excellent booke entituled A discourse of the felicity of man or his summum bonum, printed in Anno. 1598. the fortieth year of Queen Elizabeth; from whose good counfells, in the first of kinge James, what time hee was intreated by Henry then lord Berkeley to keep the Solempnity of the feast of Christmas with him and others of like ranke at Berkeley Castle, I willingly acknowledge, (as from his said booke,) to have reaped profit and advantage: nothinge therein amisse save the printers error in printing his name Barckley for Berkeley: hee was one of the knights of his County for the parliament in the first of Kinge James, whose Associate was S^r Thomas Berkeley father of the nowe lord George: And was high Sherife of the County in the seaventh of Elizabeth, A deputy Leivtenant of his County, And dyed in the second of Kinge James, leaving Henry his sonne and heire, and others as aforesaid: having alyened his manor of Rockhampton as formerly is mentioned to the perticular Tenants thereof; As likewise hee did his manor of Vley in the 8th of Elizabeth, And his manor of Kingweston to Wittm Winter Esq^r in the 12th of Elizabeth the old possessions of his Ancestors, as formerly appeareth.

The said Henry eldest sonne of the said S^r Richard married Mirryell daughter of Thomas Throkmorton of Caughton in the County of Warrwick Esq^r, by whom hee had issue Richard Berkeley of Stoke that yet lives, Anno. 1624, Elizabeth dead without issue, and Margaret married to John Tomlinson of Bristoll Marchant, who have issue Richard.

The said Richard Berkeley, sonne and heire of the said Henry, first maryed Mary daughter of Robert Rowe aforesaid, sister of Sir Thomas Rowe, Knight, Chancellor of the most noble order of the Garter, between whome is issue S^r Maurice Berkeley knight, Elizabeth, Helena married to George Elliot of Godallminge in
the

the County of Surry Esq^r, | Mirriell maryed to John eldest sonne of Anthony 317
 Abington of Dowdswell Esq^r, John, Thomas, Giles, Katharine, Mary, Margaret,
 Richard, and Robert, that nowe are Anno . 1624. And secon[d]ly maryed Jane the
 double widowe of two remarkable gentlemen of the name of Molins, by whom hee
 hath noe issue.

In the deserved commendations of the excellent endowments of the said
 Richard, one of the deputy Leivtenants of the County of Glouc., And for which
 hee was in the 12th of kinge James chosen one of the knights of y^e Shire for the
 parliament, I would as profusely poure out large praifes as of any gentleman I know
 in the West of England; but suspition of flattery, (with those that know him not
 nor mee,) is to bee avoyded: Hee yet flourisheth at Randcombe in that County
 Anno . 1628.

The said S^t Maurice Berkeley knight, eldest sonne of the said Richard, first
 maryed Elizabeth daughter of S^t Edward Coke knight, late cheife Justice of
 England, by Elizabeth his second wife, widowe of Wilm Hatton ats Newport
 knight, by whom hee hath issue Frances only; And secondly maryed Mary daughter
 of S^t George Tippinge of Whitfeild in Oxfordshire knight, by whome hee hath issue
 Richard and George, Anno . 1628.

This S^t Maurice through the great hopes of his Country conceived of him,
 was chosen knight of the Shire for the parliament in the 18th yeare of kinge James,
 then not . 22 . yeares of age, And secondly in the 21th yeare of the said kinge, And
 thirdly for the parliament holden in the first yeare of kinge Charles: Then also
 made one of the deputy Leivtenants of his County: And with much quiet reapeth
 the fruite of a peaceable Country life at Stoke Gifford aforefaid, the antient and
 often mentioned feat of his Ancestors Anno . 1628, newly become the father of his
 said second sonne.

The said S^t Maurice Berkeley of Bruton, second brother of the forefayd S^t 318
 John Berkeley, was standard bearer to kinge Henry the 8th king Edw^d the 6th and
 Queen Elizabeth; and dyed in the 23th yeare of her raigne: And by Katharine his
 first wife, daughter of Wilm Blount lord Mountjoy and widowe of Champer-
 noun, had issue three sonnes all knights viz: S^t Henry Berkeley of Bruton, S^t
 Edward Berkeley, who after maryed Elizabeth Berkeley of Bradley, widow of
 Edward Berkeley Esq^r of whome | after, S^t Francis Berkeley of Ireland, (all
 2 M remarkable

Berkeley of
 Bruton.

remarkable gentlemen in their times and martially inclined,) and three daughters Gertrude, marryed to Edward Horne Esq^r, Elizabeth marryed to Perfevall Esq^r, and Anne marryed to S^r Nicholas Poyntz late of Simmondfall knight, of whom is issue Robert Poyntz and others, As also is issue of the other two daughters.

The said S^r Henry Berkeley eldest sonne of the said S^r Maurice marryed Margery daughter of Wilm^r Ligon Esq^r and widowe of S^r Thomas Ruffell, by whome hee had issue S^r Maurice Berkeley knight and others, And after dyed in the 43th of Elizabeth.

The said S^r Maurice Berkeley, eldest sonne of the said S^r Henry, marryed Elizabeth daughter of S^r Wilm^r Killigree knight, by whom hee had issue S^r Charles Berkeley, Maurice, Slayne at the Ile of Ree, William, John, Margaret and Jone that nowe are . Anno . 1624 . And after the said S^r Maurice dyed in the 15th of fol. [630] Kinge James. Of whom read more in the life of Maurice lord Berkeley the fifth of that name.

Berkeley of
Boycourt in Kent.

The said S^r Maurice Berkeley of Bruton, second brother of the said S^r John Berkeley, was secondly marryed to Elizabeth daughter of Anthony Sands of Thoroughby in the County of Kent Esq^r; And was of the bedchamber to Queene Elizabeth, And lyeth honorably buried in the parish Church of Clerkenwell; By whom the said S^r Maurice had issue Robert Berkeley, John Berkeley knight, dead without issue, and Margaret; the said Robert dyed in the yeare of kinge James, And is buried in the Cathedrall church of Canterbury with this Epitaph.

Hee thats imprifoned in this narrow roome,
Wert not for custome, needs noe verse nor Tombe;
Nor can from thence, a monument bee lent
To him, that must bee his tombes monument:
And from the vertues of his lasting fame
Ad honor to his hearse, nor that unto his name;
ffor when this gaudy monument is gone,
Children of the unborn world that see the stone
That covers him, will to their fellowes cry
Tis here, Tis here abouts, Berkeley doth lyè.
To build his tombe then was not thought foe safe
Whose virtues must outlive his Epitaph. |

And

And by Elizabeth his wife, daughter of Lougher Esquier, a doctor of 319
the civill lawe, the said Robert leaft issue four sonnes : viz! Michaell Berkeley,
Maximillian, Maurice, and John ; And two daughters : viz! Anne married to M:
Henry Kinge, eldest sonne of doctor John Kinge late Bishop of London, and
Penelope, that nowe are . Anno . 1624 . and the said Anne hath issue John and
Henry Kinge, Anno 1628. Of which Michaell Berkeley his proper worth ties
mee to testifie, That hee hath polished his excellent wit with learned studies, and
the profitable use of many years travells in the cheifest Christian Cities and king-
doms.

The forefaid John Berkeley of Bradley, younger brother of the said Rich^d Berkeley of Stoke, by Katharine his wife daughter of S^r Richard Deverox lord Ferrars, had issue James Berkeley of Bradley, who by Joyce his wife daughter of M^r Pettit had issue John, Brice, Joyce, Jane and Anne.

Berkeley of
Bradley.

The said John sonne of John dyed in the fifth of Queene Mary without issue.
The said Brice by Anne his wife daughter and co-heire of Tho^s Whittington Esq^r
had issue Elizabeth only, and dyed in the 21th of Elizabeth ; who had to her first
husband Edward Berkeley Esq^r who lyeth buried in the Chappell at Berkeley
Church, And dyed in the 19th year of Queen Eliz. ; To her second husband S^r
Edward Berkeley, and to her third, Nicholas Strangewayes Esq^r. All whom shee
survived, haveing had noe issue by any of them, and dyed in the Tenth of kinge
James at Bradley by Wotton, where shee lyeth buried.

Original. in Scöio.
1 E. 6. pars 3.
rot. 7. 12. cum
rem. thefaur.

The said Joyce, sister of John and Brice, was maryed to Wilm Stumpe Esq^r,
and had issue James and John : James by the daughter of Edward Bainton had
issue Elizabeth onely, married to S^r Henry Knevet, who had issue Katharine
maryed to Thomas Howard Earle of Suffolk, nowe lord high Treaforer of Eng-
land : 1617 . and Elizabeth maryed to Thomas Clinton nowe Earle of Lincoln,
Anno . 1617 . of both whom are many noble decendants : And Frances maryed to
S^r William Bevill, of whom also is issue ; And also of the said John Stumpe is
plentifull issue.

The said Jane, the second sister of the said John and Brice, is dead wthout issue.

The said Anne their third sister was married to Thomas Champneis of Elberton
in Berkeley hundred, who had issue, Henry, Anne and Bridget : Of Henry Champ-
neis is plentiful issue ; Anne his sister is dead without issue : And | Bridget was 320
married

married to John Afide of Vpton Cheiney in the Parish of Bitton, his first wife, who had issue Edward Afide, Anne married to William Harte, Jane married to Henry Stubbs, and Margaret married to John Britton of Bitton, who are all in life and have plentifull issues, Anno . 1617.

Berkeley of
Shropshire.
Rot. protect. et
attorn: Scotiæ. 28.
E. 1. Comp. Rec.
in castro de
Berkeley.

3. **John** Berkeley, third sonne of this lord Maurice, is the Stocke father of the families of the Berkeleys of Shropshire, from whom they are descended; Of him I have not found whereof further to enlarge myself, Then that in the 28th yeare of Edward the first, hee was with his father and two elder brothers in Scotland at the expugnation of the Castle of Carelaveroke, held inexpugnable.

Origin: manuscript
cum Wiltmo Neve
de Aflacton in
Com Norf:

And likewise at the warres against the Scots in the 29 . 30th and 32th yeares of that kinge; And likewise in the Journey into France in the first of Edward the second; All which are more largely mentioned in the lives of his said father and elder brothers.

diversæ cartæ in
Castro de Berkeley.
magn: chartul:
ibm fol. 33.
Rot. claus: 17.
E. 2. m: 11.

By severall conveyances in the 8th 11th 13th and fiftenth yeares of kinge Edward the second, his father the lord Maurice conveyed to this third sonne for his better maintenance, the litle manor of Kingesweston in Kingesweston, the manor of Weston Lawrrence, and divers lands in Cromhale, Awre, and Ettelowe, in the County of Gloucester: And upon the feast day of the Epiphany in the fiftenth of the said kinge, his said father, (a few dayes before his own commitment to Wallingford Castle,) conveyed to him and the heires males of his body, All his lands and tenements at Plaunches in Came with the services of his Tenants there, which his father the lord Thomas had purchased of Thomas Monmoth lord of Planches, rendringe for the same yearly on midfomer day Unam capellam rofaz,¹ one chaplet or garland of Rofes for all services, And this farne of Planches continued in the male line of this John Berkeley untill the 18th yeare of Queene Elizabeth, what time Wiltm Berkeley of Cressage in the parish of Cond in Shrops: for . 190^{li} alyened the same to Lawrence Somers and his heires, whose sonne John Somers nowe liveth in the same, And for his garland of rofes payeth one peny rent yearly to the manor of Came . Anno . 1622 . And for these lands of Plaunches in Came did

carta cum Iohæ
Somers de Came.
dat. 20. Novem:
18. Eliz:

pat. 6. E. 3. pars.
1. in dorso.

Katharine

¹ Rents of Rofes were very common in Mediæval times, as common as rents of Barley-corns and Pepper-corns have been in modern, and these varied in colour—red during the Lancastrian reigns and white when the Yorkists succeeded to the crown. They were usually made payable on the feast of St. John Baptist. Any number of examples might be quoted; we will mention only one. In 1566 a rent of “a Chaplet of white Rofes was paid to the Crown for lands in Gask, at the Manor of Gask, on the feast of St. John Baptist,” (Hist. MSS., Com., v. 623.) but the rent was usually a single rose. [Ed.]

Katharine the widowe of Monmoth arraigne an Affize againſt this John, by the name of John ſonne of Maurice de Berkeley.

This John was in the fifteenth of Edward the ſecond, found by Jury to partake with this lord Maurice his father againſt that kinge; whereupon his lands by the Sherife of the County of Glouc: were ſeized into | that kinges hands: howbeit in the yeare following hee found meanes to have a certificate That hee was none of thoſe that refuſed to come to the kinge then goinge againſt his Contrariants, when hee was ſent for, And thereupon had reſtitution to his ſaid lands.

Betweene the ſetting of kinge Edward the ſecond's ſunne, and the dawning of his ſonnes raigne, kinge Edward the third, (then but cuſtos of the Realme,) made this John, togeather with his ſecond brother, keeper of Briſtoll Caſtle, which office and charge in the yeare following, was rendred for the ground why this John was pardoned his ſervice into Scotland with the kinge, which otherwiſe hee ought to have performed for the knights fees he held in Capite, faith the record.

This John Berkeley had iſſue John, who was called alſoe John de Planches from the ſaid farm of Planches, And hee had iſſue John Berkeley aſs dic^t Planche, from the ſaid farm alſoe; To whom in the Twentieth of Edward the ſixth, Thomas Wike lord of Durlſey granted an Annuity of fourty ſhillings p^a ann^o for his life; And this John had iſſue Edmond, father of John, who by the marriage of the daughter and heire of John Feckenham, in the County of Worceſter Eſq^r enlarged his poſſeſſions with the moyties of the manors of Bradley and Stoke in that County; by whom hee had iſſue Edmond, who by Elizabeth his wife daughter of M^r Poyner of Beſlow Eſq^r had iſſue John, who by Sibill his wife daughter of John Mempaſſe gent. had iſſue two ſonnes Edward and William, and a daughter called Alice married to Henry Stanley of le Ha'l in the County of Radnor Eſq^r The ſaid Edward was of the meniall retinue of Thomas lord Berkeley the fifth of that name, and dyed in his houſe without iſſue about the twentieth yeare of Kinge Henry the eighth; And the ſaid Wiſſm brother of the ſaid Edward was firſt maryed to Katharine daughter of Wiſſm Chambers Eſq^r And ſecondly to Elizabeth daughter of Richard Day Eſq^r by both whom hee had iſſue as followeth.

Up the ſaid Katharine his firſt wife, hee the ſaid Wiſſm had iſſue Thomas, and Edmond; which Thomas by Jane his firſt wife, daughter and heire of Wiſſm ſſelton of Eudnes in the County of Salop Eſq^r, enlarged his eſtate with the manors of

Eudnes

Eſſaet. in arce
london. 15. E. 2.
claus. 15. E. 2.
m. 17.

321
claus. de terr.
forriſaet. pars. 2.
16. E. 2. m. 17.

pat. 1. E. 3. pars.
2. m. 11.
Rot. perv. claus.
1. E. 3. m. 8:

carte in caſtro
de Berkeley.
Vaſcon. 36. E. 3.
m. 2.
Trin: rec; 14.
E: 4: rot. 353. in
banco in com.
Glouc:
claus: 20. H. 6.
m: 13. 14. et. 17.
dorſo.

322 Eudnes and Astrell in the same County, by whom hee had issue George Berkeley that dyed without issue, Francis Berkeley of Eudnes nowe living. Anno. 1622. who hath marryed Elizabeth daughter of Rowland Dutton of Hatton in the County of Chester Esq^r, and others: And the said Thomas by Frances his second wife, daughter of M^r Hanbury of Beanhall in the County of Worcester Esq^r, had issue two daughters, Suzan and Margaret, from whome are issue Anno. 1622. And the said Edmond brother to the said Thomas, by Mary his first wife, daughter of the said Wilm^{ms} ffelton, hath issue Francis, William, Samu^{el}, Christobell, and Hester, of whome are issue Anno. 1622.; And by Rebecca his second wife hath issue Isaack.

The foresaid Wilm^{ms} brother of the said Edward, who dyed without issue, dyed in the 44th of Elizabeth; And was hee that is before mentioned to have aliyened the farme of Planches; And by the said Elizabeth his second wife daughter of Richard Day Esq^r had issue Wilm^{ms}, who by Frances his wife, daughter of George Detton of Detton in the County of Salop, hath issue, Samu^{el}, George, William, Edward, Mary, Elizabeth, Anne, Francis, Martha, Suzanna, Hester, Jane and others, Anno. 1622. ~~More~~ of this fair branch I am not inabled to write, through want of help from their perticular evidence.

Comp. de Alking-
ton 20. E. 2. in
castro de Berkeley.

4. Eudo de Berkeley, sometime written Ivo, the fourth sonne of this lord, (named after his mothers father the lord Zouch,) was bred a scholler in Oxford, At whose inception there, (soe is the word,) the twentieth of Edward the second, the parson of Slimbridge, (which I conceive to bee his Vnckle James,) presented him with a boare, which in the feedinge had eaten one Quarter and two Busshells of beanes.

pat. 1. E. 3. pars.
1. m. 20.

The third. of March in the yeare followinge, beinge the first of Edward the third, the kinge gave him the prebend of Yago in the Church of St^t Patricke of Dublin in Ireland.

pat. 2. E. 3. pars.
1. m. 2.

The 31th of May in the second of Edward the third, this Eudo is by the kinge presented to the Church of Lampradevaur[?] in the Dioces of St^t Davids in Wales: which the next yeare, the kinge resuminge, assigned him one hundred pounds in prebendaries in lieu thereof.

Comp. de Alking-
ton 2. E. 3. in cast.
de Berk.
Com: Rec: eodē
anno ibm.

In the end of which second yeare hee dyed at Bradley by Wotton under edge, whilst the lord Thomas his elder brother there kept house, as after followeth; And

was

was buried in the monastry of Kingeswood one mile from thence, not then past the age of . 23 . yeares : for the better repose of whose soule, each night from his death to his buriall, was a dirige songe, And after his funerall, were his tricennalia, his trentalls or monthes mind, celebrated at Glouc: and Bristoll, by the fryers' minors | fryers preachers and Carmelites. **The** charges of his funerall at Bradley and Kingf- wood Abby cost—o6^{li}. 11^s. o6^d. ob.

comp. hospic: ihm
eodē: anno.
com: garderob:
ihm 2: E. 3. pre-
dict.

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5. **Peter** the fifth sonne of this lord, was also bred a Scholler at the same time, and under the same Tutor, with his brother Eudo: To whome king Edward the third the tenth of December in the first of his raigne gave the prebend Ywerne Minstre belonging to the Abby of Shafton.

Comp: hospic: 2.
E. 3. in castr: de
Berk:
pat. 1. E. 3. pars.
3. m: 7.

The 17th of May in the second yeare of his raigne, the kinge writes to the Pope to dispenſe with the age of this Peter, That hee might receive his ecclesiasticall promotion with cure of Soules, being now twenty yeares old, whose honor and profit hee much desires: And writes alsoe to some of the Cardinalls to assist him in the prosecution of this grace.

Rot. Romæ 2. E.
3. m. 3.

The first of January in the 4th of his raigne, the kinge gives him the prebend of Horton, six miles from Berkeley, belonging to the Church of Salisburi:

pat. 4. E. 3. pars.
2. m: 5. 28.
pat. 5. E. 3. pars.
2. m: 18.
pat. 4. E. 3. pars.
1. m. 7.
pat. 9. E. 3. pars.
1. m. 30. et 36.
pat. 10. E. 3. pars.
3. m. 4. et 25. E. 3.
pars. 1. m. 21.
pat. 14. E. 3. pars.
3. m. 16.

And the 25th of November in the 14th of his raigne the kinge gives more to him the prebend of Brithelinge, in his free Chapple of Haftings, in the Dioces of Chichester.

pat. 15. E. 3. pars.
2. m. 46.

Hee dyed in the 15th of that kinges raigne, 1341, then about 32 yeares old, And was buried at Horton aforeſaid, where hee had a prebend that belonged to the Church of Salisburi as before is ſaid; And where a Chaplen had—53^s. 4^d by the yeare allowed to singe masse for his soule.

Comp. Rec. 15. E.
3. in caſtro de
Berk:
pat. roll: 21. E. 3.
m. 5. et. 16.

6. **Iſable** onely daughter of this lord Maurice, was two yeares after his death by the care of her eldest brother the lord Thomas, married at Berkeley Castle in June
in

comp. Rec. 1. et.
2 E. 3. comp.
hospic. 2. E. 3.

pasch. rec: 6. E. 3.
rot. 6. Glouc. in
Scōio
cum rem̄ thesauf.
claus. 2. E. 3. m. 26.

324

in the second yeare of Edward the third, to Robert lord Clifford the younger; upon the death of whose father Robert, the lord Berkeley suppoſeing his ſonne to bee within age, bought his marriage of the kinge for—500^l. Howbeit by Inquifition it proved that hee was of full age: whereupon after | the labour of fower yeares, and the expence incident to ſutes of that condition, hee got againe his money out of the Exchequer.

Note that in the private evidence of this lord, both father and ſonne are written Roger, but in the records Robert Clifford.

Comp. Recept. 2.
E. 3. in caſtro de
Berke:
Comp: hoſpicij
iſm 2. E. 3.
rot. claus. 2. E. 3.
dorſo.

comp. Recept.
pdict.

The portion given with this lady in marriage by her ſaid brother, was one thouſand pounds, and fifty marks, payable by—333^l. 6s. 8d. a yeare, ſecured by a recognizance in Chancery: Towards the rayſing whereof her brother levied **And** of his freeholders: The weddinge apparell was in a gown of Cloth bruni ſcarloti of brown ſcarlett with the cape furred, lyned with the beſt muniver: **The** lord Berkeley her brother and his lady, beinge, (for the more honor of the bride,) apparellled in the like habit: w^{ch} howſoever nowe out of uſe, yet time may returne us the ſame faſhion, before this parchment whereon I write bee turned into duſt, as the Receivers accompt almoſt is, my warrant for this paſſage: her ſaddle with the furniture coſt five pound fetched from London: I have not found any iſſue that ſhee had.

His Seale

The ſeale this lord uſed in the liſetime of his father, was as his fathers, with the difference of a file and three lambeaux; Afterwards for the ſhort time of his liberty as his fathers without any variation.



NOTE.—The firſt Seal is an exact fac ſimile of Smyth's drawing, but the legend ſhould certainly read: S' MAVRICI: DE: BERKELEYE:

His Death and Place of Buriall

Newl: pedegr: in
caſtro de Berkeley.

Inq: in Com.
Soniſet 1. E. 3.
manca poſt mort.
Mauric: in arce
london.

This lord Maurice dyed a priſoner in the Caſtle of Wallingford y^e 31th day of May. Anno. 1326. in the 19th yeare of king Edward the ſecond, then aged about forty fix yeares, of which hee ſate lord fower yeares ten months and ten days: Howbeit of that ſhort terme hee only enjoyed liberty five months and fowerteen days.

days. From Wallingford where his body was first buried, It was by the care of his sonne and heire within the yeare following, removed and solemly buried in the monastery Church of St Augustines by Bristoll, in the fourth Ile under the Arch before the quire doore; And when his first Aniverfary day came to bee solempnized, his eldest sonne spent in the solemnity thereof in masses and doales &c—9^h 11^h 6^d whereby 'appears the mistake of Grafton, writing that to this lord Maurice was committed the custody of kinge Edward the second in his Castle of Berkeley, whereas hee was dead six monthes before, and a prisoner to that kinge as most playnly hath been declared; which error Grafton seemes to have taken from the manuscript of Robert de Gloucester, as more largely followes in the life of the next lord Thomas.

Carta in Castro de. Berk.

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comp. rec. 1. E. 3. in Castro de Berkeley.
Grafton chron : fo : 213.

Robt de Glouc. in vita. E. 3. cum Robt Cotton misse fol. [346]

Being in prison hee made his will, nameing Thomas his eldest sonne at that time a prisoner alsoe in Pevensey Castle in Suffex, William of Avening a preist his Chaplen and Receiver, John Champneis and Henry Rokehill his Steward, his Executors, which was after proved before the Bishop of Worcester, which I have not yet met withall.

certificate 5. E. 3. in castro de Berk : comp: de Portbury ibm. 11. E. 2.

Thus I leave this restless lord at rest, disrobed of those Armes which . 22 . tymes in the Voyages of foe many years hee had put on, in the services of the two kings Edward the first and Edward the second, in their severall warres against the Welsh, Scots, & French; as formerly in the life of the lord Thomas his father and of himself from matter of record, and of evidence and history not to bee excepted against, hath beene mentioned in particuler.

His lands whereof hee dyed seized

To ayde me in this title, is only one Inquisition after this lords death in the County of Somerset remaining unperished in the Kings Courts, And that also much maymed; Howbeit by the kings feazures of his lands almost five yeares before hee dyed, and his receiving the profits thereof all that time, and the returne of those Accompts into Berkeley Castle, I find that hee had at his commitment the two burrough townes of Berkeley and Wotton, and the manors of Wotton Forren, Hame, Alkington, Hinton, Hurst, Slimbridge, Came, Cowley, Simondfall, Awre, Rockhampton, Kingstanley, | Kingweston, Stanley Pountlarge, Snedham, and the hundreds of Berkeley and Blidellowe, and divers faire farmes lands and rents in Frampton upon Seavern, Upton St Leonard, Ettelowe, Awre, Arlingham, Wike, and Faveild, in the County of Gloucester, And the Advowfons of Slimbridge and Wotton. And the manors of Portbury, Wintred, Milverston, Porteshued, Brightmarston,

divers : compñi : in castro de Berk. 16. 17. 18. 19. E. 2. et. 1. et. 2. E. 3. Rot fin : 15. E. 2. m. 15.

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Escaet. 1. E. 3. n^o 54 in coin Somerset.

Original in Scđio
1. E. 3. rot. 7.

marston, Tykenham and Bedminster, and Radeclive street, and ten pound rent in Bridgwater, and the hundreds of Portbury, Bedminster, and Hareclive, and divers lands in Chedder and Tickenham in the County of Somersfet.

And the manors of Great and litle Wenden in the County of Effex.

And the faire house in S^t Andrews parish near Baynards Castle, which after came to bee called Berkeleys Inne in London.

fin. 15. E. 2. m. 9.
et. 15.

And divers houfes in Berwike upon Twede and in the confines thereof.

And the manors of Shipton under Whichwood, and Buriford ats Burford, in the County of Oxford.

cartæ. 9. 10. 11. et.
12. E. 2. in castro
de Berkeley.

And the manors of Kingston Seimor with the advowson thereof in the faid County of Somersfet.

And the manor of Great Rollright in the County of Warwicke.

All which with others, in five monthes after his death returned and came to his eldest and other sonnes, as after will bee declared.

The application and use of his life

The use.

1. The life of this lord approveth divers principalls.

That it is ignorance and indiscretion for a Subject to force his prince by violent meanes ; for hee that would move a greater strength than his own must worke with his head, not with his hands : And the safest way to succeed in every enterprife is to watch fit circumstances and to present our endeavours with opportunities, And not upon any discontent whatsoever, to subiect to ruine in an instant our honor and estate, which with much study labor and time hath been erected : The error whereof in the last seven yeares of this lords life, tumbled down the lives and fortunes of twenty great lords with himself. |

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2. Again, this lords posterity may bee warned by this his Ancestors example, to shun discontent, which beinge unmoderated, of all diseases is most dangerous and hard to cure in great spirrits and in persons of high place : Anger in such maketh them

them willinge, and greatnes prompteth them to abilitie to revenge : And where such discontent hath taken hold, it hath ever wrought their own or other mens destruction, as pregnantly is seene in the life and death of this high flyinge lord ; whereas a necessary patience with this lord might either have silenced his great spirit, or his noble greatnes have despised the dignities of the Spensers his enemies, And foe have avoyded the toyle hee was taken in.

3. **Againe**, sith prosperity in any family may not bee looked for, without often interruptions : And that the sunne which warmeth the hapieft family is often in clouds, and sometimes in Eclipse, as nowe with this lord, A wife patience and watching of faire weather when to goe abroad, was needfull ; which this lord more neglected then I hope his posterity thus warned hereafter will.

4. **Againe**, sith every man is most properly said to be such a man, as hee declares himself in his last resolutions ; And that the glory of our life stands specially in well endinge : if this lord had been well advised, noe consideration should have moved him to retire from his former vertue, nor to have abandoned the reputation hee had got, of a vertuous and valiant man : which I wish his posterity may thinke upon.

5. **Againe**, this lords error prompteth to his posterity the truth of the proverbe, That to **abstaine and distrust** are two mayne finewes of wisdom : for had this lord either abstained from offending at first, or from casting himself into the arms of those enemies whom hee had displeased : Or distrusted (as wisdom willed) the deceitfull heart of man, and howe deep the seat of Mallice is, especially in the bosome of an enemy implacably offended, hee would have searched deeper, ere hee had adventured, whereby hee had preserved his body from that prison wherein it languished till death, And his posterity from that imminent perill of ruine whereinto by this error it was ingulphed ; But the mercy of the Almighty takes this family by the chinne and keeps the | head from drowninge, as wonderfully nowe followes in the life of this lords sonne and heire to bee declared. 328

6. **Againe**, the practice of this lords enemies assures the truth of **divide et impera** ; fever the conspirators and their devices are confounded ; which it appears they did, by sweetning some with promises, and by curcumventing others by fraud, whereby they brake that strength not by force to have been dissolved, which wari-ness in this lord and his adherents might have prevented.

7. **Againe**, from the precipitous excesses of this lord may bee drawn a lesson for his posterity ; by prudence and other vertues necessary to their sublime estates to sustaine themselves from sodaine slideings beneath their proper values : And to knowe howe necessary moderation is for the coolinge of the overboylings of prosperity and greatness : And not to bee transported with a desire of revenge ; not wisely waighing the quality and power of an empire, (against which, this their great ancestor undertooke,) which in him, soe great and martiall a man, was a grand and ruinous error, found and felt too late to the overthrowe of himself, and the indangering of his posterity, if meanes almost miraculous had not by divine ordinance prevented it, as followeth in the next life.

8. **Againe**, the life of this lord, checkes the vulgar proverbe, **soone ripe soone rotten** ; and of those that like not to see an infant over hopefull, affirminge that a tree overlaid with blossomes cannot all prosper, one of them must say they needs rob the other of moisture and growth : And that in such pregnant beginnings, one faculty starves another, and at last leaves the mind faples and barren ; And therefore advise to pull off some of the too frequent blossomes that the rest may thrive ; concluding that it is good wisdom to moderate the excessse of the parts or progresse of over forward childhood, which the president of this lord fully confutes, as his life hath declared, for

Such as in youth, th'art found to bee,
Such age, in age, will render thee. |

329 9. **Againe**, the remarkable passages of the two Earles Spensers and of the lords Audely and Damery mentioned in this lords life, assures us of the uncertainty of great mens estates ; And that the circle of humane actions and events is soe large, that noe eminent family is longe without some change : five times hath this great and opulent family of the Berkeleys bene dispoyled of all her possessions, thereby without meanes or maintainance : The rebellion of the lord Robert the second, shewes the first, The rebellion of this lord Maurice the third against kinge Edward, shewes the second : The case of James lord Berkeley in the time of Kinge Henry the sixth, when neither an house to harbor in, land nor liberty of body was left to him or his sonnes, shewes the third : Maurice the fifth, brother and heire to William Marques Berkeley of new to begin the world with nothinge, shewes the fourth : and when Queene Elizabeth had extended all the lands of the lord Henry in the fifteenth yeare of her raigne, for leavyng the huge meane rates of Wotton, (not to speak of the like extent prosecuted by his last wife upon a Statute of ten thousand

thousand pounds,) shewes the fifth : Infomuch as great families are noted to bee, as Stages, whereon are represented the vicissitudes of various fortunes, whereby the pride of great men may bee abated, and humility planted, whose topp will bee in heaven, though the roote be in earth.

10. **Againe**, from the fall of this lord a wife observation is confirmed, That many worthy servants, (aswell to the Crowne, as to his peeres,) in themselves of great deservinges, oft tymes by behavinge themselves over insolently toward their masters, both in respect of their service done, and alsoe by flattering themselves with a false opinion, that either their masters cannot misse them, or that they dare not offend them, have by this kind of pride overthrown themselves, otherwise deserving great honour and respect. A president in this lord full to the poynt, whereby his posterity may make a twofold use, by surveye of it self and of the servants under it. |

11. **Lastly**, If I were to anatomize the wayes and thoughts of this lord 330 Maurice, and to parralell him by an exact character, my observations would personate him with Duke Biron, who lost his head under Henry the fourth of France ; And with Robert Earle of Essex who in like manner layd downe his life under Queen Elizabeth of England : Neither if old Plutarch were to present the world with more twins, could hee find from the Cradle to the grave fitter personages to compare then this lord with one or both of them ; In the glasse of whose printed histories, is to the life, shewn the life of this lord to his present posterity.

12. **And** for conclusion ; If this lord Maurice (quem honoris causa non possum non nominare), had either minded the Apostles rule of Quisque expleat seipsum, have fought himselfe in himselfe : Or put in practice that of Siracides, That whatsoever we take in hand, to remember first the end, and then we shall never doe amisse ; Or that of the Poet, Orbis quisque sibi, nec te quævis extra, out of himselfe to have well searched into himselfe ; hee would not have lost those Epithites of Vir Nominatissimus, et vir spectatissimus, given him by approved historians of his own times, as Ensignes of his remarkable eminency and deserving ; **Nor** with a precipitate resolution, by an overvaluinge of his owne abilities, have wraстled against the power of a Monarchy, prizinge the purchase of his will at a higher rate than life or fortunes ; And which was as bad, by an inconsiderate severance of the meanes from the End, and the End hee aymed at from the Meanes hee used, soe grossly to have missed the marke, as to have punished himselfe much more then his enemy whom hee aymed at ; **Too** forgetful also (as his life hath declared,) That true happines

2 Cor. 13. v. 5.
Eccl. 7. v. 36.

happines or unhappines consists in its arrival at its haven, and that it little importeth a man to have well deserved, or to have escaped this or that storme, unles hee come safely to land; and howe it is the evening that comendeth the day, and our End that crowneth our actions; I wish that his forgetfulness may bee hereafter better thought upon, and prove a warninge to his posterity.

331 } blank
332 }

Finis Mauricii tercii.

The Life of Thomas the Third

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The life of Thomas Lord Berkeley the third of that name, stiled in writings, Thomas de Berket And Thomas dominus de Berkelee And dñs Thomas dñs de Berkelee And Thomas de Berkelee baro. And dñs Thomas de Berket dñs de Berket. And may bee called Thomas the Ritch. Contemporary with the first . 35 . yeares of King Edward the third from . 1326 . till . 1361. Whose life I present to his posterity under these fiftene titles . viz^t

divers ; cartæ in
castro de Berkel :
pat. 4. E. 3. ps. 1.
pat. 5. E. 3: ps. 2.
dorfo.
Baro.

- 1.—His birth and age of adolefcency with his parliamentary tryall .
fol : [334.] A difcoursfe of Thomas de Bradfton His fervant .
fol : [337.]
- 2.—His husbandry and hofpitality . fol : [357.]
- 3.—His buildings . fol : [364.]
- 4.—His Forren employments in warrs and embaffes . fol : [366.]
- 5.—His recreations and delights . fol : [381.]
- 6.—His purchafes of land . fol : [382.]
- 7.—His fuites in lawe . fol : [388.]
- 8.—His Almes and devotions with his pentions and rewards to his
fervants and frends . fol : [390.]
- 9.—His miscellania or various paffages . fol : [395.]
- 10.—His wives . fol : [402.]
- 11.—His iffue . fol : [405.]
- 12.—His feale of Armes . fol : [417.]
- 13.—His death and place of buriall . fol : [418.]
- 14.—His lands whereof hee died feized . fol : [418.]
- 15.—The Application and ufe of his life . fol : [422.]

His

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His birth and age of adolescence with his parliamentary trepass.

Inq. in Cōm
Somfet. 1: E. 3.
post mort̃ Maur:
pat. 1. E. 3. ps. 1.
m. 8.
claus: 19. E. 3.
m: 22. 24.
liberat. 1: E. 3.
m: 4.
claus: 1. E. 3. ps:
1. m: 22.
original: in sc̃cio.
1. E. 3. rot. 7.

The lord Maurice as hath been said after fower years imprifonment and an half is dead before releasment, Thomas his eldest sonne duringe that time and still continueth prisoner, first in the Tower from whence hee escaped, then in the Castle of Berkamsteed in Hartfordshire, Then in Pevensey Castle in Suffex, from whence God that worketh after his own will, thus wonderfully draweth him out.

Butchered, imprifoned banished are neer half the Baronage of England in the last fix years of Kinge Edward the second; abused thereunto by the overrulinge power of the two Spenfers, Hugh the father Earle of Winchester and Hugh the sonne Earle of Gloucester, (often before mentioned,) whom the State generally hated; The height of whose greatnes with the kinge drew on the depth of hatred from Queen Ifable his wife towards them, with the generall discontent of the whole Realme, as partly hath been touched.

Speed
et divers. at chron:

claus. 17. E. 2.
m: 11.

Hollings: fol: 337.
et divers: alij
Anno. 1325.

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In Gascoigne arise troubles beewene the English and the ffrench: Queen Ifable, as the fittest instrument, is sent over to negotiate those affaires with the ffrench kinge her brother: which shee foe laboreth as matters are quietted, upon Condition, that the kinge her husband would give to his eldest sonne prince Edward, the Dutchy of Aquitayne whereby his homage, in lieu of his fathers, might at his unckle the French kings hands bee accepted, about which the ball of discord was banded: This is assented unto, And the prince sent over; Roger Mortimer lord of Wigmore, this lord Thomas father in lawe, escapeth out of the Tower, and there alsoe arriveth: ~~Nowe~~ are noe plots wanting against the two Spenfers, and against kinge Edward himself for their fakes; **T**he homage beinge done, & peace established with the ffrench kinge, the Queen and Prince are sent for into England: They obey not, but prepare to returne in Armes: **I**n London they are openly proclaymed enemies of the Kingdome, and | banished with all their adherents: **T**he Queene and prince her sonne, (then neere fiftene yeares of age,) with an Armed power the 25th of September in the 19th of her husbands raigne, arrive in Suffolke: The kinge, destitute of frends means courage and counsell to resist, flyeth from London, which

which had refused to assist him, into the West: **The** Queene, Prince, Mortimer and their whole powers pursue the kinge and come to Oxford: **The** Londoners in favor of the Queene, commit many outrages, get into their hands the Tower of London, And set at liberty all the prisoners therein, which also was done by the Queenes command throughout England to the great increase of her Army; **And** thus on y^e 16th of October is this lord Thomas released out of Pevensey Castle in Suffex, to which prison hee had, the 9th of November before, been secretly removed from the Castle of Berkamsted, in which places and in the Tower of Lond: hee had continued prisoner from a few months after his fathers commitment to Wallingford Castle, now there dead the last of May before.

claus: 19. E. 2.
m. 22. et. 24.
cla: 1. E. 3. ps: 1.
m. 22.
liberat. 1. E. 3. m. 4.
Wallingf: fol. 125.

To Oxford by the Queens direction, and of the lord Mortimer (now her minion,) hasteth this lord Thomas, from whence they come to Glouc., thence to Berkeley, thence to Bristol in pursuit of the kinge: **This** lord Thomas howe well-come-soever hee found himself to the Queene, prince, and his father-in-lawe, yet warily under an outward shewe of entertayning them at Berkeley, sendeth to take possession of his Castle of Berkeley, which hee entrusteth under the custody of his fathers old servants, now his, whome hee knew to be faithfull; And bringeth thereinto (pro munitione inde) for defence thereof soe much wheate, beanes, oates, and barley, And killeth soe many beofes and other beasts as might well serve both for entertaynement of such guests and to endure a reasonable seidge; **And** by reason that the kinge since the commitment of the lord Maurice this lords father, had kept his mansion houses and granges in his own hands, and not let them out for rent but stocked them with his own cattle, according to the foresaid presentment of the Jury in the fifteenth yeare of his raigne which then presented it to be most for the kinges profit soe to doe, as before hath been said; This lord Thomas now also entred upon the said Cattle, sheep, oxen, kine, horses, and the like, and had such corne and hay as at the kings charges were inned and brought into the barnes in harvest about a month before; And had also such implements tooles and materials of husbandry as were used in manuring the demesnes of his manors; which though hee found much decayed, from the condition wherein they were, when the kinge first seized them, yet was hee not a little beholdinge to that Juryes presentment, whereby all such cattle and implements were thus preserved. And what hee found in the Castle of Berkeley of the treasure or goods of Hugh Spenser the younger Earle of Glouc: who held the same since his fathers commitment, hee had more discretion then to comitt to any writinge that might tell mee. 300. yeares after, of what value or condition they were.

comp: de Came et
Cowley: 20. E. 2.
et 1. E. 3. et de
Hame Alkington
et al maner: in
castro de Berkeley.

Escaet. 15. E. 2.
numb. [42]
fol. [286]

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Comp: de Wotton,
Came, Cowley,
Slimbridge, Hurst
et al: 1. E. 3. in
castro de Berkeley.

And

And to declare the generall wellcome of this lords returne, his Tenants of his severall manors presented him with a recognition of forty shillings, thirty shillings, twenty six shillings and eight pence, and twenty shillings the peece, accordinge to their proportion.

Holligh :
Walsingham. fo :
125.

honor de Berk.

Hollingshead and other printed chronicles tell us, That from Gloucester the Queene passed by Berkeley and restored the Castle of Berkeley which Hugh Spenser the younger Earle of Gloucester had held, unto this lord Thomas, heire to the lord Maurice Berkeley lately before dead in prison within the Castle of Wallingford, together with all the appurtenances to the **honor** of Berkeley appertaining, And that from thence hee went to Bristol two dayes before Simon and Jude.

at. 20. E. 2. m. 12.

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And it may here not unfitly bee noted, That the fifteenth of the said October, (but the day before this lord was discharged out of his imprisonment in Pevensey Castle,) The kinge from Tintern Abby in the farthest edge of Gloucestershire, awarded his commission to Thomas de Bradston to leavy soe many men at Armes, light-horse men, and Archers on foot, and other soldiers as hee could, for the defence and safe keepinge of his Castle of Berkeley, And alsoe to bring those men to him if need should soe require, to goe against his enemies and strangers which had entered his Kingdome, And then sent him withall a large Commission of Assistance : And by an other commission of the same fifteenth of October granted him the Custody of the said Castle of Berkeley : **But** those very houres wherein these Comissions travelled but sixteen miles to seeke Bradston at his house at Bradston, two miles from Berkeley, soe | strongly wheeled about the affaires of State, That the kinge was forsaken almost by all, And those very foldiers served, in part to defend the Castle for their old landlord this lord Thomas ; And the rest to goe with him and with Thomas de Bradston, to pursue the kinge.

Thomas de
Bradston.

Of which Thomas de Bradston, (a most remarkable gentleman and faithfull servant to this family, and as perfitt a foldier as lived in his time, and of a fresh memory in his family and in the hundred of Berkeley to this day,) take here a few of his choice eares picked up in my passage through the old feilds of these times ; And the rather because I after mention him in my applications and uses.

Hee was born at Bradston within the Parish of Berkeley, the ancient seat of his father, grandfather and other his Ancestors, All of them homagers to the Castle of Berkeley for their manors of Bradston and Stinchcombe holden by knights service, And

And in a continuall relation of service and dependance to the father, grandfather and other the Ancestors of this lord Thomas: And this Thomas de Bradston foe clofely adhere to this lord Thomas and to the lord Maurice his father, in their risinge againſt the kinge and the two Earles Spensers his minions, That his lands in the fifteenth of Edward the second were feazed as aforeſaid to the kinge, And his life remained under the kings angry power, and of the ſaid Earles Spensers againſt whome hee had diſplayed his banner. **Holwehit** hee foe wifely wrought, That in the next yeare for one hundred marks hee redeemed both his life and lands, findinge ſureties and takeing oath *pro bono geſtu ſuo egrā regem*, for his good behaviour towards the kinge. And thereupon the 17th of february in the 16th of Edward the second had his pardon. And the 23th of March his utlagary diſcharged & his lands reſtored.

fin: 15. E. 2. m.
15. 19.
claus: de terr. for.
15. et 16. E. 2. ps.
dorfo.
eadē pars. m. 5.
claus. 16. E. 2.
m. 13.
fin: 16. E. 2. m.
13. 20.
pat. 16. E. 2. pars.
1. m. 1.
claus. 19. E. 2.
dorfo.

And wittily windinge himſelf into favor, obtained within two yeares after truſt from the kinge, And a grant of the cuſtody of Kingswood Chaſe by Briſtoll, with other grants of profit.

pat. 19. E. 2. pars.
1. m: 9.

And the next yeare hee is truſted to rayſe ſoldiers for the defence of the kinge and of his Caſtle of Berkeley, which hee turned the contrary way as hath been ſaid.

pat. 20. E. 2. m. 12.

And for his good ſervice in purſute of the kinge, the Queene in fewe monthes | after in the firſt yeare of her fonnes raigne gave him two wardſhipps; And the kinge made him *valletus regis*, one of the groomes of his chamber: And pardoned him his foreſaid fine of one hundred markes to that time unpaid.

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Rot. parv: claus.
1. E. 3. m. 6. et. 7.
claus. 1. E. 3. pars.
1. m. 21.

And the ſame yeare the kinge (praiſing his good ſervice, et quod non deſiſtit iuxta latus noſtrum continue morando,) gives him an other wardſhip.

pat. 1. E. 3. m. 8.

And upon the comendacons of Queene Iſable obtained divers benefitall futes, into whoſe favor hee deeply ingratiated himſelf,

Rot. don: extr. 2.
E. 3.

And in the ſecond yeare of the kinge is called by the kinge *dilectus valettus regis*; And in the 4th and 5th yeares receives many favors and promotions both in England and in Aquitayne beyond ſeas in the kings ſervices, to his great honor and profit.

pat. 2. E. 3. m: 2.
Extract. don: 4.
E. 3.
rot. valcon. 5. E.
3. m: 2. et al.

And in the ſame 5th yeare, the better to ſupport himſelf in the order of knight-hood which hee had nowe taken upon him, the kinge grants to him the manor

fin. 5. E. 3. m. 35.

of Barton by Glouc : in farme, thirteen miles from his paternall inheritance and habitation.

Extract don. 7. E. 3. m. 4.
pat. 7. E. 3. pars. 2. m. 27.
cart. 8. E. 3. m. ult.
extract don. 8. E. 3.
And in the 7th yeare, the kinge grants to him and his heires, the manors of Stratton and Knoll by Bristoll late Thomas de Gurnayes, w^{ch} were given to him by the content of all the Barons and prelates of the land, for the good services hee had done : And these were alike remote on the other side of his dwellinge.

pat. 8. E. 3. pars. 2 m : 12
eodem :
And in the 8th yeare grants a lycence to give his said manor of Knoll by Bristoll to a Chaplen and his successors to celebrate in his Chappell at Bradston for ever, for his own foule and the foules of all faithfull people. And a comission at the same time to execute marshall lawe upon offenders in divers Countyes.

Extract don. 9. E. 3.
claus. 9. E. 3. m. 5. et. 15.
And in the 9th yeare were divers great wardships and custodies of manors granted to him, as further testimonies of the kings great favour and his own defervings.

claus. 11. E. 3. ps. 1. membr. 4.
pat. 11. E. 3. pars. 3. m : 8 9.
And in the 11th yeare of the kinge gave him a ship called Christmas taken in fight from the French his enemies by Marchants of Bristoll. and in the same yeare had divers other great futes specifed perticularly in the records marginald.

pat. vafcon. 13. E. 3. m. 8. et. 22.
And in the 13th yeare y^e kinge gave him the man^r of Shalford in Surrey to him and his heires. |

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pat. vafcon. 13. E. 3. m : 11 : 23.
And the same yeare gave him three other great guifts, with this testimony anexed, That in his continuall service, hee spared noe cost, nor refused any perill of his body.

eodem : m : 12.
claus : 15. E. 4. m : 11.
And the same yeare the kinge erected him into the state of a Banneret, And for the better maintenance of that honor, gave him. 500. marks p An^o : to him and his heires out of the Exchequer, untill hee could provide for him foe much land in England, which his heires at comon lawe receyveth at this day, 1628.

Ext. don. 14. E. 3. m : 7.
fin. 14. E. 3. m. 2.
And in the 14th yeare of his raigne gave him the Castle and manor of Thl^omer, [?] and part of the lordship of Buel in South Wales, to him and his heires, together with the wardship of Witm de la More.

Rot. sine p^rdict : m : 24.
And the same yeare the kinge granted him all the temporalties of the Arch-Bishop of Yorke in the County of Gloucester.

In the fifteenth yeare the kinge gave him . 193^{li}. out of the Exchequer, And employed him a Comissioner into Scotland, with Henry of Lancaster Earle of Darby, in the affaires of that kingdome.

claus. 15. E. 3. ps.
1. m : 8.
Scotia. 15. E. 3.
m : 4.

And the 14th of August that yeare hee agrees to goe with the kinge in his next journey beyond seas, And at his charges to find forty men at Arms, whereof one to bee a Banneret, five to bee knights, ten Armed men, twenty Archers &c, and that month goes accordingly.

pat. 15. E. 3. ps.
2. m : 25.
Alemañ. 15. E. 3.
m. 15.

The 25th of february in the 16th yeare, the kinge writes to him to bee present at his great Councell to bee holden at Westminster in cñino claus : pasche, vt interfuit nobiscum et cum prelati et ceteris magnatibus Anglie, consilium impensurus de arduis rebus regni, &c.

claus : 16. E. 3.
in dorfo.

And nowe againe is his patent of Banneret, and guift of . 500 . marks p añ made beyond seas, confirmed to him and his heires in England. And in the next yeare, the 17th of the kinge hee is called a Baron, And is after called to parliament by writ as a Baron in . 21 . 22 . 24 . 25 . 27 . 28 . 29 . et 31 . of Edward the third, as in the dorfe of close Rolls of those yeares in the Tower of London amongst the fummons of parliaments appeares.

pat. 16. E. 3. ps.
1. m. 11.
Rot. Rom. 17. E.
3. m : 3.
claus : eisdē annis.

In the 19th yeare the kinge granted him fower great futes in wardships and moneys.

Extra : don : 19 :
E : 3.
fin. 19. E. 3 m. 26.

But in nothinge appeares the kinges affection to him, nor his deservings under the kinge, more cleerly then in the kings lres written for the redemption of his sonne and heire Robert de Bradston who in his journey towards the holy land was taken prisoner by the Citizens of Piza. And | in the arrests which the kinge made of all the persons and their goods of all the marchants and Inhabitants of Piza and St Luke that were in London, till hee were delivered ; And in comittinge twelve of the cheifest of them to the Tower of London till they procured his deliverance and of all his associates, upon the undertaking whereof they were at last bayled . corpus pro corpore, body for body.

claus : 19. E. 3.
pars : 2. dorfo.

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In the 22th yeare the kinge grants to him and his heires the manors of Duns and Chernside neer Barwicke upon Twede, and likewise divers lands and Tenements in Calais.

Rot. Scotiæ. 22.
E. 3. m : 5 :

And

pat. 22. E. 3. pars.
1. m. 43.

And the same yeare gives him six hoggeheads of wine yearly during his life out of the port of Bristoll : All which are ever mentioned in all grants to bee for the good service of this great foldier Thomas de Bradston.

pat. 33. E. 3. pars.
1. m : 20.

Escha : 34. E. 3.
post mort Tho: de
Bradston.
pat. 34. E. 3. pars.
3. m : 7.
Regis. feod
militum.

And nowe broken with Armes and age and retired to dye at home at Bradston aforefaid ; hee, as the last of his workes, becomes the spetiall meanes for walling of Gloucester Towne, of the Castle whereof hee had the keepinge with threescore pounds p^r añ out of that Towne for his life ; And foe layeth downe his laborious life to rest, in the 34th of that kinge leaving Thomas his grandchild for his heire then but eight yeares old ; for that his own sonne Robert dyed shortly after his releasment out of Piza. **And** this young Thomas, (whose Wardship Queen Phillip had,) before the 22th of his age, dyed alsoe, leaving one only daughter, As in other collections of mine, and in my description of the hundred of Berkeley, I have at large transmitted to the knowledge of this noble family.

Yet this family conceive this digression to bee the lesse impertinent because this Thomas de Bradston, nowe a peere of the realme, was a servant to this family, and sworne brother in Armes to S^r Maurice this lord Berkeleys martiall brother, Stock father of the houses of Stoke, Bruton, and Boycourt, as hath beene said, who rose together, served together at many battles, and shared alike in the kings favors, and are menconed together in most of the former records here marginaled, and severed not their faythes nor martiall services, till S^r Maurice dyed at the seidge of Calais ; And because alsoe it bringeth an honor to this family to have sent forth such an approved foldier and faithfull servant under so able and judicious a kinge ;

341 **And** for that the | memory of well deserving servants have a place in the honorable catalogue of their masters posterity ; dulcius est ære, pretiosum nomen habere ; **And** did beare Argent on a Canton gules a rose, or, barbed proper, the bearings of his posterity to this day, by the Bradstons late of Winterborne in Gloucestershire : But I cease this digression and returne.

comp : ministror.
20 : E. 2. et. 1. E.
3 : de Hurst
Slimbridg, Came,
Hame, Alkington
&c.

Not longe after the Queenes passage with her Army to Bristoll upon the first account taken of the Reeves and Baylyes of this lords manors and lands in those parts, they complayne before his Auditor, That the Earle of Lancasters men as they travelled with the Queene from Glouc^r through the manors of Slimbridge and Hurst to Berkeley and thence to Bristoll, tooke away with them their hens geese ducks and other poultry, whereby they lost all their eggs and breed for this yeare ; And howe their horses eat their oats and hay, tooke away their saddles, brake their

Chapple

Chapple or oratary doore, (which cost 4^d the mendinge,) wherein y^e mannerlynefs of the accompt doth not charge the Earles men with stealinge, but with alenatinge those things; And conclude with an other misfortune in their husbandries of this yeare, That their lord in his journey with the Queene and the Earle to Bristoll and thence into Wales, purfuinge the kinge and the two Earles Spenfers, foe extreamly over labored their mares used in his cariages, that they cast their foles, And foe had noe younge colts of Store this yeare.

The like alienatinge the Reeve of Ham complayneth the soldiers made in his manor, about St Lukes day; And sheweth what quantyties of wheat oates and other provisions hee sent in from that manor, ad muniendum castrum de Berkeley contra adventum dnæ reginæ, for defence of the Castle against the Queenes cominge, wherein the providence of this lord Thomas employed his brother Maurice and Thomas de Bradston of both whom I have formerly written.

Comp: de Hame
20: E: 2: in castrò
de Berkeley

The Reeve of Wotton complaineth likewise of the Earle of Kents men, howe that in their passage with the Queene towards Bristoll, they brake his barnes doore, and waisted five quarters and an half of his oates.

The like complaint make the Reeves of the mannors of Hinton, Alkington, and other manors, each shewinge their own losses, and what provisions they delivered for defence of the Castle: Those of Came and Cowley complayninge of the lord of Henalts men, who in their carts caryed | away to Bristoll their wheat and oates; Those of Hame, of the lord Audelyes men who caryed away their fwine and other cattle; whereby it may seeme they were quartered in all those coasts round about the Castle: howbeit I find not any fillable to induce that any of the Army entred the Castle, which for that time the wifdome of this lord Thomas seemeth alfoe to have himselfe forborne to doe.

Comp: de Came.
et Cowley. 1: E. 3.
in Castrò de
Berkeley.

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Alonge with the Queene and prince and their Army goeth this lord Thomas to Bristoll, where Hugh Spenfer the elder Earle of Winchester was taken, And without answeringe for himself was drawn and hanged in his Armor, taken down alive, and bowelled, his bowells burnt, his head smote of and sent to Winchester, his body hanged up againe and after fower dayes cut to peeces and cast to dogs to bee eaten.

Stow et al :

ffrom thence through Wales in search after the kinge, the Queene and her Army come to Hereford: The kinge on the 16th of November is found out and taken,

Trivet. m. 5.
Speed.

Stow. taken, with Hugh Spenfer the sonne Earle of Gloucester; The kinge is conveyed
Howe et al. to Kenellworth, The Earle is brought to Hereford, where clad in his coat Armor
hee was dragged to the place of Execution, where beinge first hanged upon a
gallowes fifty foot high, was afterwards beheaded and cut into quarters, his head
fett up at London, and his quarters in fower Parts of the Kingdome.

comp. hospic. The Queene with her sonne Edward, Roger Mortimer and others, in the end
1: E. 3. of December come to London, where a parliament is somoned to bee holden the
pat. 17. E. 2. ps. 2 morrowe after the Epiphany, the 7th of January: This lord Thomas from Hereford
in: 19. returneth to Berkeley by Wigmore, the Antient seat of the lord Mortimer, where
hee hath the first sight of his wife Margaret since his enlargment, whom hee had
marryed six yeares before; And shee newly come thither from the priory of Shuld-
ham in Norfolke where shee was kept prisoner.

Stow. Havinge made a short stay at Berkeley, this lord hasteth to the first day of the
Comp: recept. 1. 2. parliament, whereat were present all the Nobility of the Realme; where they all
E. 3. in Castro de agree that the old kinge, (who had hanged and cut of soe maney of their fathers
Berkeley. and brothers, and imprisoned soe many of themselves and their frends, and con-
343 fiscated | their estates,) was not worthy to weare the Crowne, but for divers causes
to bee despoised; And his sonne prince Edward is then elected kinge in his
fathers roome, the 25th day of that January, Anno. 1326, when his father had
raigned nineteene yeares, and as much as from the 7th of July before.

Rot: parliament At this parliament it was on the third, and after on the 13th of February
1: E. 3. declared; That the risinge of Thomas the noble Earle of Lancaster, Maurice lord
Berkeley, and others of that adherency, was bona iusta et legitima querela, a good,
just and lawfull complaint, And that every lord and other of that adherency should
claus. 1 E. 3. ps. 1. bee restored to their honors, manors, lands and goods: The 17th and 22th of which
m: 21. 22. in dorfo. february, this lord Thomas hath perticular writs directed to severall farmors, for
restitution and redelivery of his lands in the Countys of Glouc., Somersfet, Berks,
where hee was prisoner, and other places, by vertue of the said act of parliament.
fin: 1. E. 3. m. 22 The 27th of that month hee doth his homage & hath livery of all his manors and
original. 1. E. 3. lands descended unto him by the death of his father; And the kings writ of the
rot. 7. in fecio. next days date to Trussell Escheator on this side Trent, to give him feizin, savinge
pasch. 4. E. 3. rot. dower to the lady Ifable his fathers widdowe: In which record a memorandum is
7. 8. rec: ibm entred, that this lord Thomas recognized upon his oath, That hee held in Capite
rot. fin. 1. E. 3. his fathers lands per baroniam, in baronage by three knights fees for all services.
m. 22
Baronia.

And

And upon proces after awarded for payment of the releefe due upon his fathers death, and of the releefe due upon the death of his grandfather, who dyed in the fifteenth of Edward the second as hath bene said, (continued against him till this 4th of Edward the third,) hee nowe appeares and by plea acknowledgeth to hold per baroniam, as all his ancestors to this time have done since the grant of Henry the second to Robert sonne of Hardinge, which hee there pleadeth, with the grants and confirmations of king Henry the second, Richard the first, kinge John, and of this kinge in the 4th of his raigne, made to his Ancestors and himselfe: And that whereas the tenure of his lands were originally by five knights fees in the first charters of kinge Henry the second, hee nowe shews that Thomas Ap-Adam, (for Beverstone and Kings weston,) is to discharge him of one knights ffee and an half: And that John fitz Nicholl, (for Hull and Nympsfeild,) is to discharge him of the other half of a knights ffee, upon the feoffments of his Ancestor Robert his abavus, his great, great, great grandfathers father, made to them; Soe only three knights fees remained for himself.

pasch: fine. 4. E. 3.
rot. 2: bis in fecio
cum reni thefaur.
Baronia.
pasch: rec: 4. E. 3.
rot. 7. 8. in fecio.

Abavus was good
latin wth a chequer
Clark that had no
better.

And further sheweth That of old his releefe for the barony of Berkeley was . 100^{li}, but nowe since the statute of magna charta of the liberties of England it is butt one | hundered marks, And foe is ready to pay, and doth pay: This is that excellent record I formerly touched in the lyves of the lord Robert the first and of Thomas the second.

Origin. 28. H. 3.
Baronia.

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fol. [203]

But it may truly bee averred notwithstandinge the said plea, That after the death of the lord Robert sonne of hardinge, one Thousand marks was paid by the lord Maurice his sonne to the kinge for his releefe called the fine of his land: And after the death of the said Maurice, one thousand pound was paid by the lord Robert his son for his Releefe, pro fine hereditatis suæ, for the fine of his land; The first beinge stalled to bee paid in two yeares, And the later by . 200^{li} in hand, and by fourty pound each half yeare after: And after the death of the said Robert sonne of Maurice, which happened in the 4th of Henry the third, one hundred pound was paid by Thomas his brother and heire for his Releefe, which is the first of that fume; And foe like wife was one hundred pounds paid in the 28th of Henry the third for a Releefe of the Barony, after the death of the said Thomas, by the lord Maurice his sonne and heire; what time, though magna charta had been enacted nineteen years before, yet it was not so rooted as to beare ripe frute, which was one of the pretences of the Barons warrs with that kinge as formerly hath been touched. But indeed one hundred marks and noe more was paid after the death of Maurice

Rot. pipæ. 2. R. 1.
sub titulo de novis
promissis.

Rot. pipæ. 3. R. 1.
de novis promissis,
et 4. 5. 6. et. 7. R.
1. sub titulo de novis
oblatis.

nova oblato. 4. H.
3. in rot. pipæ.
Rot. pipæ. 28. H.
3. nova oblata.
pasch. rec. 4. E. 3.
in fecio rot. 7. 8.

lord

lord Berkeley, sonne of the said Thomas, who died in the 9th of Edward the first, by Thomas sonne and heire of the said lord Maurice as in his life hath appeared; And that was the first of that summe, and the first true frute of magna charta that had ripened to this family.

Thus having traced this lord to his perfect establishment in his barony, I will looke one cubite back, and shew That whilst y^e parliam^t was in continuance the 10th of that February, this lord fueth out writs of diem clausit extremū into divers Counties, to enquire of what lands and of what Estate his father the lord Maurice dyed seized: The injurys of time and worfe keepers of Chancery records of this nature, have left to my time one only Inquisition in the County of Somersset, which is also half torne and maymed, found upon the 24th of the same month, the day of S^t Matthias, which sheweth that hee was seized of the manors of Bedminster, Portbury, Radeclivestreet, and of the third part of Kingston feimor, and of the hundreds of Bedminster, Portbury, and Hareclive, and of Certaine lands in Ashton in that County, untill hee became a Rebelle unto his kinge, and against Hugh Spenfer the younger; | for which cause on the munday after the purification of our lady in the 15th of his raigne, the kinge seized into his hands the said manors hundreds and lands, and imprisoned the said Maurice at Wallingford, where hee dyed; **Howbeit** it is most certaine That the tenth of february a writ of diem clausit extremū was sued out, and an Inquisition, (and the same after exemplified under the great seale,) was taken by force of that writ before John Hampton Escheator of Gloucester shire, at Glouc the thirsdays next after the feast of S^t Valentine the first yeare of this kinge Edward the third in the said parliament time; wherēby it was found by Jury that the said lord Maurice father of this lord Thomas was seized in fee of the Castle and hundred of Berkeley, and of the manors of Came, Hame, and Wotton; & howe that kinge Edward the second alleadged against the said lord Maurice That hee was contrary to Hugh Despenfer the younger, (I followe the very words,) wherefore the same kinge affirmed the same Maurice to bee his enemy and his rebellior, And for that cause seized the said Castle hundred and manors into his hands the munday next after the purification of our lady the yeare of his raigne the fifteenth, And tooke the said Maurice, and him in prison with held at Wallingford untill hee there dyed in prison; **And** hereupon restitution was had, and livery sued by this lord Thomas as aforesaid.

pat. 1. E. 3. pars.
1. m. 8.

And this lord the better to set his estate upright, and his person rectus in curia, (as lawyers speake,) hee the 23th of March following sues out his pardon, as well for his

his offence in breaking of prison in the Tower of London in the time of this kings father, and escaping thence, as for all robberies murders and felonies by him committed, and for which hee had been indited and outlawed.

Kinge Edward the second from the day of his depofing by parliam^t, and by his own resignation on the 25th of January . 1326, remayned at Kiltgworth Castle, untill by Henry Earle of Leicefter who there had the keepinge of him, hee was by Indenture delivered to this Thomas lord Berk: S^t John Maltravers and S^t Thomas de Gurnay: Maltravers and Gurnay convey him to the Castle of Corffe, thence to Bristoll Castle, And lastly upon the 5th day of Aprill . 1327. unto Berkeley Castle, where the said lord Thomas courteously received him, being for his expences allowed five pounds the day; But ere longe the lord Berkeley is comanded by tres to use noe familiarity with Edward the late kinge, but to deliver over the government of his Castle to Maltravers and Gurnay, which with heavy cheere, (I write myne authors words,) perceiving what violence was intended, hee doth: And forthwith departed from his Castle to other his dwellinge places: when foone after, the said late kinge was shut up in a clofe chamber, | where with the stynch of dead carcafes laid in a Celler under him, hee was miserably tormented many days together, and well nigh suffocated therewith, the paine being almost intollerable unto him; But that not sufficing to hasten his death, which was desired and covertly comanded by the Queene and her fautors, The said S^t John Maltravers and S^t Thomas de Gurnay and their complices, rushed in the night time into his chamber, and with great and heavy featherbeds smothered him, thrusting an hollowe instrument like the end of a trumpett or glisterpipe into his fundament, and through it a red hot iron up into his bowells, whereby hee ended his life, with a lamentable loud cry heard by many both of the towne and Castle, which was on S^t Mathews day the 21th of September, having been depofed the 25. of January eight months before; **And** this is that S^t Thomas de Gurnay sonne of Thomas, sonne of Thomas, the second sonne of Ancelme lord de Gurnay, descended of Robert lord of Were, third sonne of Robert fitz Harding first lord of Berkeley: Of which S^t Thomas de Gurnay I there promised to write in this lords life, As alsoe you shall heare more of him a fewe leaves after.

But before I proceed further, because the histories of Martin lately printed, Caxton and some others, have delivered the murther of this kinge to bee at Corffe Castle, And that Robert de Glouc. in one place of his history written in the 26th of Henry the 6th endinge with this kinge Edward the third, hath assured us, That S^t Henry of Lancaster who had his father in ward, did by Edward the thirds comānd, deliver

Stow et divs: at.
Walsingh: fo: 127.
Polichron. lib. 7.
cap. 44.
Comp. de Hame 5
Apr: 3 non. Aprill.
Glouc. manuscript
cum decano ihm.
claus. 1. E. 3. pars.
1. m: 1: et: 3.
Howe. 227.
Stowe. Speed:
Holl: Tho: de la
Moore, fabion: et
divers. al.
to Bradley.

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Thomas de la more
in vita E. 2.
Walsingh: fo. 127.

Eschaet. 13. E. 3.
n^o 37.
pat. 13. E. 3. pars.
2. dorlo.
claus: 14. E. 3. pars.
1. m: 18. et. 19.
fol. [64]

Robt de Glouc.
manufr: in vita
E. 3. cum Robto
Cotton. milte. et
baronetta.

deliver him by an Indenture to S^t Thomas de Berkeley and to S^t John Mautravers, And howe they lad him from kenellworth to the Castle of Berkeley, and there kept him safely, **And** in another place, That hee foe beinge in the Castle of Berkeley under the ward of S^t Maurice de Berkeley and of S^t John Mautravers, It was not longe after That Edward the third by the Counsell of Mortimer, granted the ward of S^t Edward his father to S^t Thomas de Gurnay and to the aforefaid John Mautravers by his comiffion, puttinge out the forefaid Maurice ; Then they led him to the Castle of Corffe, where they kept him to S^t Mathewes day in September. 1327, And there was murdered by Gurnay & Mautravers and after buried at Gloucester.

Maurice for
Thomas

Anno. 1. E. 3.

Grafton fo :

And for that Grafton and some others feeme doubtfull whether it was at Corfe or at Berkeley, I will for the love of truth deliver a fewe authorities, (omni exceptione maiores,) such as cannot bee excepted against, And yet such as are not mentioned in Thomas de la More, Baker, Canon of Osney, Walsingham, ffroyfart, Polichronicon, ffabian, Campden, Hollinghead, Stow, Speed, Howe, nor others ; who nevertheleffe have unanimously delivered his death to bee at Berkeley Castle, and not elfwhere ; And foe cleere the place of death which hath | beene foe much controverted amongst authors.

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chronicon Walteri
Froucester.
manufr.
cum decano Glouc.
pat. 4. R. 2. pars. 1.
m : 1.

In the custody of the Deane and Chapter of Glouc. is a faire manusc^t Chronicle summarily collected by Walter Frocester, a monke in the Abby of Glouc. living at this time within fifteen miles of Berkeley, after Abbot of that monastery, deduced down by him to the twentyeth yeare of kinge Edward the third, who writeth thus. viz^t

Glouc : m : 5.

Edward the fecond, sonne of Edward, began his raigne in the yeare. 1307, in the 19th whereof hee was dekinged : Taken at Neath Castle in West Wales, but brought to bee kept at Kenellworth, And the third of the nones of Aprill, was translated from Kenellworth to Berkeley Castle, where when many conspired for his delivery, About the feast of S^t Mathewe the Evangelist, was with a fiery hot spit thrust into his fundament, most wickedly murdered, and buried in the Church of S^t Peter here with us at Glouc : And in another place thus : Et post mortem prædicti regis &c And after the death of the said kinge, his venerable body, (which the next monasteries of S^t Augustine of Bristoll, S^t Mary of Kingfwood, and S^t Aldelme of Malmesbury, for dread of Roger de Mortimer and Queene Isable and their complices feared to receive,) was by John Toky then Abbot of this Church of
bleffed

bleffed S^t Peter of Gloucester with his chariot honorably adorned with the armes of the fst church, brought from the Castle of Berkeley to the Church of the faid Monastery of Glouc.; And by the whole Covent solemnly atired, was with the procession of the whole City honorably received, and in the North part of the Church there, neere to the great Altar, buryed: This Abbot Toky, mine author fucceded, then a monke there, and present at his funerall, Of which Abbot then a very old man, and of the benefitts hee received from the fonne for this honor done to his fathers body, the marginaid record declareth.

pat. 2. E. 3. pars.
2. m : 2.

The Accompt of Withm Afide Receivor to this lord Berkeley, accomptinge for a yeare from Michaelmas in the Twentieth of Edward the second to the fame feast in the first of Edward the third, sheweth that hee received to this lords use. 700^{li}: de camera scaccarij dñi regis, out of the receipt in the kings Exchequer, for the Expences of the houle of the kinges father, whilst hee was at Berkeley, And hath in his faid accompt an allowance of—31[£] 1^d paid by him to S^t Thomas de Gurnay, sent to Nottingham from Berkeley by this lord Berkeley, with his tres to advertize the Queene and the kinge her sonne of the death of the late kinge his father there; And the fifteenth of May the fame yeare, an allowance of 500^{li} more from the kinge paid him by John de Langton keeper of the Castle of kerfilly for the fame cause. |

comp. recept. in
Castr. de Berkeley
1. E. 3.

claus. 1. E. 3. ps.
1. m : 1. et. 3.
claus. 2. E. 3. m.
26.

The Accompts of the Reeves of Hame and Alkington and of other manors of this lords neere Berkeley Castle, and there likewise yet remaining, made for their receipts and payments and deliveries within the faid yeare, expresly shew what provisions and Acates they sent from their severall granges and manor houfes from the fifth day of Aprill then beinge palmfunday, when at supper time the kinge was first brought prifoner to Berkeley Castle, untill his death there the 21th of September following.

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7. Accompts in
Berkeley Castle.

claus : 1. E. 3. ps.
1. m : 3.

And the Accompt of this faid lords Receivor for the yeare following in the second of Edward the third, sheweth what hee paid for dyinge of the white canvas black for coveringe the Chariot wherein the body of the Kinge was carryed from Berkeley Castle to Glouc.; what the cords, the horsecollers, the traces, and other necessaries perticularly cost, used about the Chariot, and conveyinge of his body thence to Gloucester; in vno vase argenteo pro corde dicti dñi regis patris reponendo, —37[£] 08^d for a silver vessell to put the kings hart in—37[£] 08^d. **In** oblations at severall times in the Chapple of the Castle of Berkeley for the kings soule—21^d In expences of the lord Berkeleys family goinge with the kings body from Berkeley to Glouc :

comp : recept. 2 :
E. 3.

claus. 2. E. 3. m.
26.

pat. 2. E. 3. ps. 2. Glouc :—18^s=09^d And many the like perticularityes ; **Whereto** add these records
 m. 2.
 claus. 25. E. 3 : here margined, more then evincinge the truth of this matter, whereby this lord is
 m. 10.
 pat. 1. R. 2. ps. 2. allowed five pounds by the day for the kings expenſes whilſt hee was at his keep-
 m. 23. inge at Berkeley, and for ſoe longe time as his body remayned at Berkeley after his
 death.

Rot. parliam. 4. **Laſtly** whereas by parliament holden on munday after S^t Katharines day in
 E. 3. in turre the 4th yeare of the ſaid kinge Edward the third, the foreſaid Roger de Mortimer
 Londonenſi. then Earle of March, (father in lawe to this lord Berkeley,) was condemned of
 Treafon and executed, one of the articles whereupon hee was condemned by that
 Hollingſh:fo: 348. parliament, is, that where the kings father was ſetled at Kenellworth, there to bee
 Rot. parliam. 28. uſed as to kingly dignity appertaineth, That hee aſſuminge regall power to himſelf
 E. 3. without warrant, conveyed him thence to Berkeley Caſtle, where hee was by him
 Rot. parl: 4. E: 3. and his fautors trecherouſly murdered : **And** the ſame is againe affirmed in parlia-
 ment in the 28th of Edward the third, when Roger Mortimer his grandchild is
 reſtored and this attainder reverſed : **Now** for any writer to ſay contrary to this
 record, beſides the untruth hee delivereth, is to accuſe the wholl representative
 349 body of all the eſtate of the Realme | of ignorance and falſhood ; **Which** with
 the records next following doe more then ſuffice for cleering of this point, That
 kinge Edward the ſecond was murdered at Berkeley Caſtle.

Plita coronæ in ſo much, could not fall, but his ſonne in lawe this lord Berkeley muſt ſuffer ſome
 parliam: tent, adverſity for his ſake ; wherefore at the ſame parliament, it was before the kinge
 4. E: 3. n^o 16 demanded of this lord, That whereas kinge Edward his father was delivered to the
 Glouc: Wigorn. cuſtody of him and of John Maltravers to bee ſafely kept by them in the Caſtle of
 the ſaid lord Berkeley of Berkeley in the County of Glouc.; and being murdered
 in the ſame Caſtle and in their cuſtody, how hee could quit himſelf of the kings
 death : Hee anſwereth That hee was neither knowinge, helpinge nor procuringe
 thereto, nec vnquam Scivit de morte ſua vſque in preſenti parlamento iſto nor ever
 A little to much knew thereof untill this preſent parliament, whereof hee is ready to acquite himſelfe
 pleading. as this preſent parliament ſhall award : Whereupon it is ſaid to him, That ſeeing
 hee is lord of the ſaid Caſtle of Berkeley, And that the kinge was delivered to the
 cuſtody of him the ſaid lord Thomas and Maltravers, to bee ſafely kept, of whom
 and whoſe ſafe cuſtody they accepted, hee is to anſwere for the death of the kinge :
Whereto this lord Thomas replyes, That true it is That hee is lord of the ſaid
 Caſtle, And that hee and John Maltravers received the kinge into their cuſtody to
 bee

bee fafely there kept, But withall faith That at fuch time as the kinge was murdered hee was fo fick at Bradley, out of the faid Caſtle, that hee loſt his memory ; Whereunto it was againe replyed, That having the cuſtody of the kinge comitted to him and to the faid John aforeſaid, And ſith hee had placed his miniſters and under-keepers for that oversight, That hee by any ſuch infermy of ſickneſs, could not ſo excuſe himſelf, but that hee muſt in ſuch caſe anſwere for the kings death ; **Whereto** hee anſwers that hee did place with y^e faid John Maltravers ſuch keepers and ſervants for the fafe keepinge of the kinge, as hee as much truſted as in himſelf ; **And** for tryall that hee is not guilty of the death of the kinge, nor any way aſſenting, helpinge or procuringe thereunto, hee puts himſelf upon his Country ; Whereupon twelve knights are upon the octaves of S^t Hillary next, impanelled and ſworne, Qui dicunt ſuper fac^m ſuum, &c. who ſay upon theire oaths That Thomas de Berkeley is not guilty of the death of the father of the kinge that now is | nor was aſſenting, aydinge or procuringe thereunto, And that at the time of the kings death hee was foe ſick at Bradley that it was generally deſpaired of his life ; And the Jury being asked whether he fled or abſented himſelf upon the murder aforeſaid, ſay not : But becauſe the faid Thom^s de Berkeley placed Thomas de Gurnay and Wiſſm de Ocley keepers under him, by whome the kinge was murdered, further day is given to hear his judgment at the next parliament, And in the mean time to ſtand comitted to Ralph de Nevill Steward to the kings houſe ; **And** it follows in the record, That afterwards in this parliament, the prelates, Earles and Barons befought the kinge for Thomas de Berkeley to bee delivered from his imprifonment upon his bayle, which the kinge granted, but hee to anſwere at the next parliament.

4. miles of.

veredic^t juratory.

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eodē n^o 18.

The next year the fifth of the kings raigne, was another parliament whereto this lord Thomas is not ſomoned by any writ ; but amongſt the petitions of that parliament it is thus entred, **Alſo** the prelates Earles and Barons prayed the kinge for **Monsieur Thomas de Berkeley** that hee would deliver him from his bayle, And thereupon the kinge charged them that hee ſhould bee forthcominge at the next parliament ; **Where** I find not to bee hereat done, ſave that this lord as Executor to his father, petitioned the kinge and his Counſell in this parliament to pay him . 600^{li} for his fathers cuſtody of the Town of Berwike ; And that, that . 600^{li} might quit ſuch debts as either hee or his Anceſtors owed the kinge upon Exchequer proces, which was granted ; Howbeit the kinge the twentieth of November in that fifth of his raigne ſent to have this lord with divers others of the Nobility to bee with him in **octabis hillarij** followinge, to have their counſells in divers waighty affairs ariſen ſince the laſt parliament.

Rot. parliam. 5.
E. 3. in arce
london.
claus : 5. E. 3. ps.
1. in dorſo.

claus. 5. E. 3. ps.
1. m : 2.
Rot. tractat^h
parlia^t octab :
hillar. 5. E. 3.

Thus

pat. 11. E. 3.
pars. 1. m : 28.

Thus in attendance flood this lord at divers parliaments following, untill a parliament holden at Yorke in the 9th of the kinge, wherein all the former proceedings being recited, this lord prayed the peeres to give him judgment accordinge to the said verdict; whereupon the kinge charged all the Earles Barons and Prelates there assembled, upon their allegiances, to avise whether hee was guilty of the kinge his fathers death or not, or aiding, assenting or procuringe thereunto; who all affirmed upon their allegiances, hee was not guilty; But say, notwithstanding, in regard so horrible a murder was committed in his Castle, then in his custody, they
351 would not then precisely determine of it, but referred the matter and him to the kings pleasure; the kinge thereupon, (saith the record,) finding that the said Thomas de Berkeley was found not guilty, And that all his lords were of the same mind, hee in Justice now acquitted him also, et eat inde sine die; Reserving nevertheless power to dispose further of him by parliament hereafter, as by the comon Counsell and advice thereof shall bee found to stand with Justice and the kings pleasure; **And** lastly at this parliament holden the 11th of his raigne, all the Earles Barons and prelates doe acquite the said lord Thomas in all things, saving some fault of negligence, And adjudge him free from henceforth for ever, witnes the 16th of March in the Eleventh of Edward the third.

Rot. parliament
eisdem annis.

Thus after tryall and seaven years attendance, is this lord cleered, it being the only president that is pregnant in that kind; wherein I conceive the reason why hee was not tried by his peeres, but by knights, to bee; because then, (for matter of fact,) they had been both his Judges and Jurors; Afterwards I find him a Tryer of petitions for Gascoigne, Wales, Scotland, the Isles and other forren parts, at the parliaments holden in the 14. 15. 17. 18. 20. 21th and 28th years of Edward the third

comp: señli
hospicij 1. E. 3. in
castro de Berkeley.

But if I were to object against the verdict of the twelve knights, (which saved the life and barony of this lord,) I would urge, out of this lords own evidence, That hee could not lye sick at Bradley the 21th of September, (the day the kinge was murdered,) because the accompt of his Steward of household, declareth that hee came not thither till Michaelmas even, which was the 7th day after: And if sick at that time, yet not so infirmed as to loose his memory, for hee presently wrote his tres and sent them by S^r Tho^s Gurnay, (the regicide,) the next day at his charges to Nottingham, to advertize his father in lawe Mortimer, the Queene mother, and the young kinge her son, thereof, which unles upon some ground, hee would not have sent for wellcome newes, And of all others, why was S^r Thomas Gurnay made
the

the messenger, unless it was, (as it was,) to take him from the earth, for telling of tales in the world ; **What** secret intelligence passed betwene the father in lawe, and son in lawe, I will not further conjecture, then that this lord much connived and by a second direction brought back by Gurnay, kept secret the kings death till All S^e followinge ; by which time and longe before hee had so well recovered his health, as hee attended the kings body to Gloucester, and spent many of the intervenient days in huntings hawkings & other sports of the feild ; **Lastly** when Gurnay in mens opinions was fled, this | lord concealed him with wonderfull secrecy till this tryall by parliam^t was past, And then upon a private lease and tre of Attorney of his lands of Beverston Over and others, for his life and his wives, hee furnished him for his flyinge with money and other requisites, And then also had a feoffment, (but without date,) from him of Betesle and other lands, which manifestley shew with what art this lord shuffed his cards. And thus also by what hath hitherto bene said appeareth how grossly Polidor Virgill hath erred, writing that this lord Thomas was executed for the treason of murdering his kinge, Edward the second ; A notorious lye, That this unattainted family may not brooke.

comp. p^rdict.

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cartæ in castro
de Berkeley.

Polid : Virgil :

The hungry appetite I had to bring this lord to liberty, and to see him restored to his Estate and barony, with the issue of his parliamentary tryall, (which closely followed upon the heeles of the former,) and were in a kind of connection dependant upon the last act of the last lords life, have drawn mee to outrunne the pupill part of his first twenty yeares whereto I now lookebacke ; havinge also fully cleered the old error. And proved that the said kings death was at Berkeley Castle, and not elce where, which I undertooke to prove.

This lord was borne about the 22th yeare of Edward the first, in the days of his grandfather, who lyved to see him about twenty six : And was (as hath bene said) about thirty at the death of the lord Maurice his father ; But whether hee had his youths education under his grandfather at Berkeley Castle, or under his father at Portbury, I have not observed.

The first time I can fully viewe his youth, is in the 21th of his age in Payn-
wicke park, eleaven miles from Berkeley, then the inheritance of Adomarus de
Valencia Earle of Penbroke, half brother to kinge Henry the third, where hee
with his brother Maurice, Thomas Berkeley of Beoly their uncle, John Berkeley
son of Robert Berkeley of Arlingham their cozen, Thomas de Bradston, (of all
whom I have already written.) and about forty others, most riotously stole and

pal. 12. E. 2. dorfo:

fol : [296]
claus : 13. E. 2.
m. 17.

carried away the Earles deere, whereof the Earle complaining, A comission to enquire of the fact was awarded, whereby they were found guilty by inditement, And after outlawed thereupon; And in August the yeare following, the kinge somewhat seeminge to leane to the Earle his neere kinsman, commands that as many |
 353 of those riotors as could bee taken should bee committed to the comon goale without
 pat. 13. E. 2. m: 5. baile. And to make worfe the former offence, (naught of itself,) this lord Thomas and his brother Maurice shortly after, (by a worke of a worfe impressiō,) set upon the four Coronis of the County, and would not suffer them at their County Court to record the exigents of their outlawries, nor to execute those things which to their offences appertained, concerning themselves and their riotous companions: for which second riotous offence also, they the 7th of March after procured their severall pdons from the kinge then at Canterbury, as they were going into gafcoigne in the kings service with their father, where they abode all the time of their fathers stay as already hath bene said.

pat. 15. E. 2. ps
 2. in dorfo. bis.

The next time I meet with this lord Thomas in record, is after his fathers commitment to Wallingford Castle, wastringe, burning, pulling downe, destroying, and carrying away out of the lands of the two Earles Spenfers, the father and the sonne, in the fifteenth of the said kinge, without measure or mercy, whatsoever houses goods or chattles of theirs they could find or seaze on, in the Counties of Oxon Berks and others, which hee with his riotous and rebellious associates continued, (in revenge of his fathers unjust imprisonment,) untill by vertue of many comissions sent with proclamations into many Counties, hee was taken and clapt up in the Tower, as formerly in the life of the lord Maurice his father is more largely written; from whence hee after escapes, but is againe taken and clapt up in Berkhamsted Castle, And afterwards removed into Pevensey Castle by the sea side in Suffex, And from thence delivered, as also hath bene said.

Rot. Scotiæ. 11.
 12. 13. E. 2. m: 12.

And the Rolls of Scottissh affairs in these times doe intimate, That in the 12th yeare of this kinge Edward the second, this lord Thomas with his said brother Maurice were in armes in those Scottissh warrs, both under the lord Roger Mortimer lord of Wigmore, and the lord Wittm la Zouch which employment is probable to have been a prime cause of the lord Mortimers affecting him for his son in lawe; which in short time after bore such fruite That before the Sunday after St: James's day in the 14th yeare of that kinge hee was married to Margaret daughter to the said lord Mortimer; for by the lord Mortimers deed of that days date, the said Thomas and Margaret his then wife were estated in the manor of Awre, and in the
 moytie

carta in castro de
 Berkeley. 13. E. 2.
 Esch: post mort
 Tho. de Berkeley.
 35. E. 3.
 finis. 14. E. 2.

moytie of the Rectory thereof, and of the hundred of Bledeslow in the County of Glouc: And in the next yeare this Thomas purchafed of one | Luida, divers lands in Chelvey in the County of Wilts to himself and to the said Margaret his wife and the heires of his body; Howbeit though hee at her fathers house at Wigmore Castle thus there tooke her to wife, which was more then a year before his grandfather dyed, and more then as much more before his father and himself were imprisoned, yet hee never brought her to any of his own or of his fathers or grandfathers houses till after both their deaths and his own enlargement out of prison and restitution to his lands, which, (as hath been written,) was more then seven years after; Neither did Mortimer pay or give security for payment of that—850^{li} portion which this lord Thomas was to receive, (besides the said land,) wth his wife, untill the second of March in the second yeare of kinge Edward the third, which was then agreed to be paid, and was accordingly paid by . 150^{li} each half yeare: In which second yeare hee brought her to Berkeley: And (as I conceive) then (through her tender years,) unto his bed; And if kinge James's maxime stand That absque copula nullum coniugium, then alsoe first to be his wife; for whose better welcome hee both repaired and enlarged his Castle of Berkeley, as his officers Accompts of that yeare doe shewe; And had there with him the Queene mother, his father in lawe her favorite, the lord Clifford of the North, and many other states of honor and quality, as his nuptiall guests; which popular port, (the condition of the cheife parties considered, in the place of the kings death, then felt, feene and rejoyced at,) aggravated this lords suspiçon, and his parliamentary tryall that shortly after followed: what more of this marriage is to bee said, shall followe under mine accustomed title of this lords wife.

At such time in this first yeare of Kinge Edward the third as this lord Thomas first entered upon his fathers lands, after the kings five years possession and his own as longe restraint in severall prisons, hee found for the most part all his granges and manor houses, dovehouses, Stables, Oxhouses, mills, cratches,¹ cubs,² waynes, Carts and Plows, (all these are named,) foe out of repaire and decayed, That the substance of half the accompts of the Reeves and Baylyes of each manor, for y^e two next years, containe only the wages and works of Carpenters, Sawyers, Mafons, Wheel-rights, millrights, Tylers, and the like: Even as Henry lord Berkeley found the ruins in his houses of Wotton, Portbury, and Berkeley Castle, when in the first of Queene Mary, after 58 years possession in the Crowne, hee entred upon them; And

2 Q 2

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claus. 2. E. 3. in dorso.
Comp. Rec: Thomæ de Berkeley in castro de Berkeley

In casu Com Effex et Somerset.
Comp. Recept. 1. et. 2. E. 3. in castro de Berk.

fol. [402]

Accompt of each manor in these years.

¹ Panniers, cradles or hooks, for asses or mules, hand-barrows.

² Cribs or racks for Cattle. These words are still in use in Gloucestershire.—[Ed.]

355 the oxen, kine, sheep and other | cattle that manured and were bred and fed upon these granges and manor houses, so decayed, or degenerated, or both, That as the said acc^{ts} do shewe, few or noe great faires or marketts were in those parts, whereat this lord was not himself, as at Wells, Gloucester, Winchcomb, Tetbury and others; where also hee new bought or changed the severall grains that sowed his arable lands; And whether it were his knowledge drawn from his grandfathers wisdom and experience, or his own observations, or that affliction had made him wise, I leave it to that supernall wisdom that imparted it; **But** perswaded I am, (and somewhat my youth and age have observed and seen, as well in the books and method of the kings household, as of other great lords and families,) That noe lord then living did establish, And fewe or none in these days doe or can, soe good an order or method for accompts for husbandry and thriving, And for true dealing of Servants and Accomptants, through whose hands any of his money, corne, cattle, Acates or household provisions, were to come, as hee did. **And** a little to enlarge this instance, the Accompts of Henry Peche Supervivor hospicij domini Steward of the house of Berkeley in the second of this kinge, is not unworthy of imitation, wherein by a perfect method every days receipts of all provisions and Acates into the house, the dayly expences of each office in the house. as of bread spent in the pantry, beere in the buttry, butter in the larder, Acates in the Kitchen, wine in the Celler, oates and other corne out of the granary, beoffes and other beasts out of the Slaughter house, and the like, Are so exactly set downe, That, the age considered, it would beget admiration, and thrust good husbandry and imitation upon that sonne, that in a true levell beholds this Ancestor. **And** in this and some other accompts is seene what provision was sent for the dinners or suppers of this lord, when hee continued huntinge in his parkes, and abroad at the fox, wherein hee would lye out whole nights in the feilds and woods: And howe frutesfull an effect this prudent establishment of his household affaires produced, espetially in this first entrance to his estate, the after part of his life doth aloud found out, and invite his posterity to imitation.

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 claus: 1. E. 3.
 ps. 1. m: 20.

And knowing what good succeffe attendeth each busines which taketh opportunity of time by the forehead, Hee in the said parliament | time as Executor to his father, Executor of the lord Thomas his father, exhibits his petition to the new kings Counsell, shewing how that the corn in his manors and granges, his cattle and other goods, after the death of his said grandfather, were seized upon in all his manors by John Hampton, then Sherriffe of Gloucestershire, and others by the then kings commandment, and by them detained untill the same were delivered unto James de Broughton, to whom the custody of the said manors and granges were comitted,

comitted, who sold them to the then kings use &c: And prayeth recompence. Whereto hee receiveth order from the kings command the 8th of February, (but thirteen days after the election of the kinge,) directed to his Tresorer and Barons of the Exchequer, That if it may appear in his accompts That such goods came to the use of his father, That restitution of the value should bee made unto him: Then which this lord asked no more.

And beinge returned from this parliament, shortly after held his Courts of recognition, whereat by Henry Rokehull and others hee tooke the fealties of all his Tenants.

comp. de
Slimbridge,
Hurft, et al. 1. E. 3.

In the course of his whole life I feldome observe him to continue one whole yeare together at any one of his houses, but havinge many furnished hee easily removed, (without removing.) As Berkeley and Beverston Castles, Awre, Wotton, Portbury, Bedminster, Bradley Wendon and others; and I generally observe That at such times as hee was in warrs abroad, as often and longe hee was, or did alibi perhendinare continue at tylts, turnaments or other hastiludes, as often wholl monthes together at Worcester, Coventry, Dunstable, Stamford, London, Winchester Exeter and other places hee did: Or was at the parliament at London, Yorke, Lincolne, or the like places, his good and frugall lady withdrew her self for the most part to her houses of least resort and receipt; whether for her retirement or frugality, or both, I determine not: which course at this instant hee put in vre, ffor in this first of Edward the third havinge a fewe monthes continued at Berkeley after his returne out of the North, upon Michaelmas eve hee removed from thence to Bradley, whence the 22th of October hee returned to Berkeley And from thence the 18th of Decem^r hee went to keep his Christmas at Portbury, havinge in these 57 days spent at Berkeley. 72. fat hoggs valued at 12^{li} 1^s 10^d; In which time his poultry Acates came to—15^{li} 03^s 09; After Christmas he travelled againe | into the North to Blith, Yorke, and other places, In which Journey hee spent—81^{li} 14^s 8^d. As the accompts of Nigell de Kingfcote, master of his horse in that Journey, declared: In which kind of course I held it possible for mee to have tracked this lord in all his removings for the thirty five next years till his death.

Comp: Wifm
Capell feñlihofpic.
1. E. 3.

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Comp: Nigell de
kingfcote in castro
de Berkeley.

His husbandry and hospitality

This lord had in his hands at one time together, all the demefnes of the mannors of Berkeley and Wotton Burroughs, Hamē, Appleridge, Alkington, Hinton, Hurft, Slimbridge, Camē, Cowley, Wotton-florren, Symondfall, Beverston,

divers: cartæ et
compī ministror.
in castro de Berk:

Woodmancot,

Woodmancot, Upon S^t Leonards, Over, Kingsweston, Tockington, Tormarton, Charfeild, Huntingford, Tortworth, Veelham, Westonbirt, Aylberton, Compton Greenfeild, Seintcle, Awre, Blidestowe, Tokinhall and Pirton, Leckhampton, Hatherley, Yärkeley, and some others in the County of Gloucester. And of the manors of Portbury, Bedminster, Portthead, Barewe, Gurney, Tykenham, Kingston Seimor, Brighmerston, Sokke and some others in the County of Somerset, **And** of the manors of Great Wendon, little Wendon and East Stanes in the County of Effex. **And** of the manors of Burghull, Tullington, Rotchull, Winterbourne, Madington, Orkefden, Childengton, Langly Burell, Shulden, Sapworth, Wintred, Estham, Ekington, Chippenham, Lollodon, Westlond, Side, Norton, Bornhill, Elifston, Plimpton, Ablington, Alton, Penleigh, Netherham, Exton, Hamburell, Moneweden, and some others in other Counties, besides divers perticular farmes in severall places in this enumeration not remembred : **Of** all which, (according to the ufage of thofe times,) hee kept the demefne lands in his hands, and stocked them with his owne oxen, kine, sheep, fwine and other cattle ; **In** some of which manors hee had his flockes of . 1500 . sheepe, In some 1000, 900, 800, 700, 600, 500, 400, and in none under 300. **At** Beverfton in the feaventh of Edward the third, hee did sheare . 5775 . sheepe, which were going in thofe manors thereto adjoyning. |

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In each manor, and almoft upon each farm houfe hee had a pigeon houfe, and in divers manors two, And in Hame and a few others, (where his dwelling houfes were,) three : from each houfe hee drew yearly great nūbers As. 1300 . 1200 . 1000 . 850 . 700 . 650 . from an houfe, And from Hame one yeare . 2151 . young pigeons.

At thefe manor houfes hee kept geefe, duckes, peacocks, hens, capons, and chickens, in great proportions, drawing from some of them . 200 . and from some many more of a kind in each yeare ; And many thoufands of their eggs yearly from one place ; **hence** alfoe hee yearly had great ftore of hony and wax, and fmall nutts, (whereof from Hame of a certainty from his Copiholders hee had fiftene Buftells each yeare ;) **In** thofe manors on the further fide feaverne and adjoyning to the fforreft of Deane, and in the Chafe of Micklewood in Alkington, hee had divers heards of goats, and a fuperintendant Officer over the inferior called his Master goat-heard ; from whence 300 . kids in each yeare came, when leaft, to the Larder, and Roes heere and in his parks, if capreoli, be latin for Rocs. **From** hence alfoe came the oxen, bullocks, calves, sheep, and lambs, w^{ch} they weekly killed in their houfes, in fuch an extraordinary proportion as may feeme incredible, unles a due confideration bee taken of the nature and manner of great lords husbandries in thefe

these times, which cannot any other ways so well bee understood as by lookinge into their accompts. compi in castro de Berkeley.

From hence also came their great proportions of wheat, rye, barley, oates, pease, beanes, and ffatches, apples and pears, whereof great quantities of cider and perry were yearly made.

And these Accompts yearly made by the Reeves and Bayliffs husbanding the Demesnes of their manors, and such other messuages and lands as rested in their hands, will tell him that desireth to cast an eye into their granaries, what at the end of each yeare remained of old store in each manor and place : what in each place was reaped and wynowed, what sold at Marketts, what shipped to sea, what from thence spent in the lords house, what in the stable, what by the doggs, And what by the hens and pigeons, by the falcons, | tarfells, and other hawkes ; what wheat and beans was given to the poore, and to fryars and other religious orders of ordinary allowance each yeare, and how much of wheat, barley and oates was yearly made into malt, (an husbandry almost lost in this age,) with many the like particulars. 359

And when the Reeve or Bayly at the end of his yeare, left his office to a successor, the Inventory is so exact, what cattle of each kind, grain of each sort in the barn grainary or corne on the ground, what poultry of each sort, what waynes, carts, fullows,¹ harrows, drags, rollers, cribs, axes, hatchets, sithes, hammers, reaphooks, bushells, pecks, brasse, pewter, old iron, butter, cheefe, bacon, cheefvates, cheefclouts and other particulars, (of each kind to bee thought upon,) remained, which was by writing in parchm^t indented delivered over to the next, That it cannot but give us cause almost of wonder, And to say non sine prudenti fecit ratione vetustas, cuncta, out of our old forefathers feilds wee reap the best frutes of our modern understandings : And laudamus veteres sed nostris vtimur annis, wee Justly praise our forefathers doings, but imitate our own appetites. plures huius generis in castro de Berk.

This course of husbandry with little or noe interruption in effect, was continued from the time of kinge Henry the third to the fifth yeare of kinge Henry the fifth, the space of one hundred and fifty yeares ; & howe longe before, those parchment Rolls that should have informed us are turned into dust : And then this noble family clave asunder, parting it self into two streams and branches, that yeilded no better frute in the next century of yeares then rancor and contention, As in the life of the lord James the first will be declared.

¹ Ploughs.

Rot. parl. 21. R. 2.
ps. 2. m. 6. in
turre Londin.

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Math: 14. vers. 13.

Comp: Rec. 1.
E. 3. et 20. E. 3.
in castro de
Berkeley.

Comp. predict

The parliament roll tells us, That in the fifteenth of Edward the second, what time this lords father and his complices made havock of the goods and cattle of Hugh Spenfer th'elder, then Earle of Winchester, hee had in those manors which hee waisted, 2000 hoggs, 120 kine, 40. tun of wine, 160. carts, 600. bacones fower-score carcases of beoffe, and 500. of muttons in the larder ready killed, besides divers others in that record specified; And these only in a few of those many Counties wherein hee had like manors stocked with like cattle, which in these times of ours wee hold as a wonder, admireing the numbers. **And** as I was summing up the certaine numbers of this lords sheep in the 7th 20th and 30th yeares of Edward the third, out of the Accompts of those | yeares, thereby to pick out a comon medium, holding my numbers not much inferior, (wherein to the akeing of mine eyes I continued fixteene houres obstinate,) An old profane tale, (which eased mee,) presented it self to memory, of an old priest in the end of Henry the 8th raigne, who readinge the gosple of the day out of the 14th of St Math. of Christs feeding . 5000. men besides weomen and children with five loaves and two fishes, the well meaning preist read but . 500. wth his Clark observinge, privately told him his booke was . 5000. I know well enough answered the preist, but my parishoners will scarcely beleieve me, though I say but . 500: In like sort my readers, like those parishoners or preist, would returne on mee, If I prevent them not in my self: But les labour it is to beleieve mee in this, then to re-examine my calculation: I verily thinke That noe two of the greatest houskeepers of this kingdom amongst the Nobility at this day, spend so much in grosse provissions of beoffe, mutton, swines flesh, bread, beere, pultry, pigeons and eggs, as this lord in his standinge house usually did: whose check-roll of his attendants and household servants and their qualities may give satisfaction herein: **The** knights that had wages by the day and their double liveries of gowns furred, were usually twelve, often more, each of them two servants and a gartion or page, and allowances for the like number of horses; **The** Esquires that also had wages by the day, each of them one man and a page, and allowance in like manner for their horses, were twenty and fower, often more: from whence may bee conjectured what the number of inferior degrees, and of Officers and ministers of household, might in probability bee; **I** am confident That the mouthes of his standing house, each day fed were three hundred at least: And in greatnes of Traine this lord exceeded his grandfather.

From one manor was usually delivered one hundred and threecore quarters of wheat by the yeare, And from another one hundred and forty, from another one hundred quarters, and after such proportions from divers others: each day spent much above two quarters of wheat in the bakehouse and pastry.

III

All the knights robes were of cloth of ray, and of a bastard scarlet, | furred with miniver of the best, And the habit of the lord himself was thereto forted.

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Comp. 16. E. 3.
ibm.
carl. 17. 18. E. 3.

The robes of an Esquier were of fine brod ray collour cloth, furred with a courfer fort of myniver; And so were the Clarks of the Chapple and homines de offico, the officers of household and waiting weomen.

The livery of the gartion and underfervants, were all of them of cloth, and furred with Coney, lambskinne, and budge, each a degree under other; And I have observed eight brode scarlets and of ray for the knights, and twelve for the Esq^r Chaplens and officers, to have beene provided in one yeare for their robes.

And for the honor of all parts lord master and knight fervant, I will relate the faire discent of S^r John Tracy, (one of this lords knights,) As also was S^r John Tracy his father to Thomas the second, grandfather to this lord, who was father of Withm Tracy, father of Withm Tracy, father of Henry Tracy, (who dyed in the 17th of Henry the 7th.) father of Withm Tracy who dyed in the 22th of Henry the 8th, Father of W^m Tracy who dyed in y^e 20th of Henry y^e 8th before his father, (and after his death had his bones burned for protestant herefy,) father of Henry Tracy, father of S^r John Tracy who dyed in the 33th of Elizabeth, father of S^r John Tracy that yet liveth. 1620. A noble pedegree of feaven discents higher in this kingdome since the Norman conquest in the younger line, then here I have for brevity set downe: The like I could write for three or fower other of the knights, meniall fervants to this lord.

If I could assure my self that this young lord George, (who nowe weares the honor of his Ancestors,) would but once in maturity of his yeares, advisedly read over some of these accompts of his Ancestors courses and fashions of regulating their estate, if hee were gone astray or had outrun his receipts, (as not unlike it is, but his first head or foare age may,) I would conclude that thereby hee would bee reclaymed: The hand is reasonably easy after a little acquaintance, as soone attained as the lawe ffrench of Littleton; The latin smooth and delightfull; And because the whole body of them in the time of this lord Thomas is too vast in the generall, I will commend to his reading only thofe two of the first and second years of Edward the third, to shewe him how this his Ancestor began the first yeare hee entred upon his land; And thofe other of the twentieth of that kinge, whereby taking the begining and middle of his life into consideration hee may cast | up the rest of his 362
yeares before and after by a probable medium.

Comp : 20. E. 3.
in castro de Berk :

Of this twentieth yeare there is a most exact abstract also, of all this lords expenses for that yeare, as well inward at home as forren abroad, (a double steeled glasse for posterity,) shewing what hee that yeare spent in wheat, beans, pease gray and white, barley, malt, wheat malt, and barley malt, and malt of dredge or mung-corne, and of oates ; in oates hay and litter, in oxen, bullocks, kine, calves, sheep, swine of all sorts, goates and kids, coneyes, peacocks, hernes, fassants, ducks, geefe, capons, hens, chickens, swans, pigeons, cheefe of cows, milk of goates, and sheep-milk, butter, creame, and rice : And what in forren As in spice, wine, liveryes, and the like, which in all humility I invite the nowe lord George to read, and digestingly to consider off ; the totall whereof came to 1309^{li} 14^s 6^d ob. And on the dorfe thereof hee shall see an husbandly observation how much in each kind was this yeare expended lesse then in the former yeare : And yet had cleere remaining to his purse in the end of all 1150^{li} 18^s 8^d of that years savinge.

Abstract comp :
recept. et
garderob: 20. E. 3.
linea. 7.

And for the horses which this lord this yeare kept in the house, let these words in the Accompt that cannot lye or flatter, tell us their number. In feno et litera pro . 15381 . equis . viz! pro feno et litera vnus equi per diem et noctem . 1^d q. That is expended in hay and litter for fiftene thousand three hundred fowerscore and one horse, at a peny farthing for a day and night for an horse, 80^{li} 1^s 2¼^d meaning after the maner of Accompts, That soe many horses were one day with another in the stable, as came to soe many in the yeare, which was above one hundred horse for each day in the yeare one with another.

In the second yeare of his Barony his Receivour had clearly remaininge in his hands upon his Accompts when all debts and purchases were paid 452^{li} : 2^s : 0^d.

In the ninth yeare—659^{li}—7^s

In the 19th yeare—977—16^s—5^d

In the twentieth yeare aforefaid—1150^{li}—18^s—8^d as hath bene said ; And so rather each yeare increasing then diminishing, besides what was in the lords private purse, and in the Cash of store, whereinto y^e the remainder of each yeare was cast ; And besides the debts owinge | to him at the end of each yeare, which are exprest to bee many. If this lord George shall propose this Ancestor for his president, or his grandfather Thomas the second, hee shall see what frutes, the plants called good order and good husbandry doe beare, And shall not see nor know what eight, ten
or

or twelve in the hundred meaneth, from which I pray God deliver him and his posterity. **The** nobility and great gentry of this kingdome have noe trades, are noe Marchants : provident faving of their rents and fines and well regulateing of their estates in their occupation, which if they neglect they soone feele the want and smart ; The Gloucestershire proverb within the hundred of Berkeley is, That favinge must equall haveinge, elce want will at the years end bee Auditor and Accomptant.

The irregularities and diforders of our days may not appeare in Acc^{ts} to posterity : wee will spend all and more at the years end, and not be able to fay howe, or wherein : It is a bafe thinge now adays to behold the Accompt of John Stoke in the twentieth of kinge Edward the third collector feodi coquinæ, collector of the Kitchen fee to this great lord, and foe of former and after years, shewing how much of the fame greafe was sold for money, And how much thereof was spent in greasing of the waynes, carts and other imployments, and how much remained in the vessell at home for store.

Comp : 20. et. 22.
E. 3. in castr : de
Berk :

In the 23th of this kinge foe great was the plague within this lords manor of Hame, That foe many worke folks, (as amounted to . 1144 . days worke,) were hired to gather in the corn of that manor alone, as by their deaths fell into the lords hands, or elce were forsaken by them.

Comp : manerij de
Ham. 23. E. 3. in
castro de Berkeley.

In steed of purchafes may bee the two improvements which this lord made out of his waste of Slimbridge warth ; The one of twenty acres in the 9th of Edward the third now called Katharine Cookes leyes, The other of fifty fower acres of the faid warth in the tenth of the faid kinge now called new leyes, worth at this day more pounds then acres. **As** also the like hee did of divers parcells of Michaelwood Chafe, and in other places, to a great value, not askinge leave of the clowted shoe and Commoner, whether it stood with his likinge or not, As after in the title of purchafes more largely followeth.

Carta in castro de
Berkeley. 9. E. 3.
Comp : præpōiti
de Hurfl et
Slimbridge in 9.
10. 11. 12. E. 3.
et postea, in
castro de Berkeley.

vide fol: [384]

I will conclude this honorable title of this lords hospitality with y^e petition of S^r John Berkeley of Dursley, exhibited in parliament in the fourth yeare of kinge Edward the third, which may assure us of | this lords great port and family, who therein complaineth against him, That the Sherife and other officers and other ministers of Justice in the County of Gloucester were this lords household servants, and of his standing wages and livery, And therefore could have no Justice against him, nor redelivery of his cattle by this lord unjustly impounded as hee alleadged.

petitio in parl :
4. E. 3. n^o 101. in
arce Lond :

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And further, this honorable title which I now conclude, may, (by consideringe the magnificence of nobility in this lords person and his days,) shewes us the root from whence sprunge those antient ceremonies used throughout the kingdome, continued from antiquity till the days of our last fathers; That whensoever any noble man or peere of the Realme passed through any parish all the bells were accustomed to bee rung in honor of his person, and to give notice of the passage of such eminency; And when their tres were upon occasions read in any assemblies, the Commons present would move their bonnets in token of reverence to their name and person.

Who would not stoupe to serve them at their feet,
Where such nobility and vertue meet.

His buildings

Comp: de Slim-
bridg et Hurst. 1.
E. 3. in castro de
Berkeley.

In the first yeare of kinge Edward the third, which, (as before I have said,) was the first also of this lords restitution to his lands and barony, this lord built a faire house at his manor of Aure on the other side Seavern, opposite to his manors of Slimbridge and Hurst; and from out of Redwood by Hurst hee carryed three score okes to the waters side, and then by boat to Aure in furtherance of that buildinge; wherein I thinke hee humored with his wife and her father the lord Mortimer, in building upon y^e land hee had with her.

Comp: rec: et
gard 1. et. 2. E. 3.
in cast de Berkeley

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In the same yeare and the year following, hee somewhat built, but more beautified, his castle of Berkeley, the rather against the marriage of his only sister, and the receiving thither his own wife, (whom his Tenants wellcomed with a present of 3^{li} 19^s 6^d in gold,) | And against the cominge of the Queene mother and her minion the 1st Mortimer this lords father in lawe.

Comp. rec. et
minister.
Maner. 2. 3 et 4
E. 3. in Castro de
Berkeley.

The same yeare also and the next followinge, hee had work enough to doe in reedifying his granges and farme houses, decayed duringe the possession of kinge Edward the second, as formerly is said; And in buildinge of the square pile of stone worke of the lodge of Newparke, (then alsoe made an impaled parke,) which name, because other parks of this lords adjoyning were more antient, it then had and still retayneth.

Comp. Recept.
16 E. 3 in Castro
de Berkeley.

In the 16th of kinge Edward the third this lord of new built, (then ruinated,) the great high Tower of the north part of the keep in Berkeley Castle, called at
this

this day Thorps Tower, (because hee holdeth his land at Wanefwell by guard thereof,) which cost him one hundred and eight pounds three shillings and a peny, fetching most of the stones by boat from feavern, And the Tuft stone from Durfley by land.

In the 18th and . 19th yeares of the said kinge hee built the newe worke at the Castle, (foe then called,) which is that part without the Keepe on the northeast next the little parke, and next to the great kitchen, the rooffe whereof Henry the seaventh brought from Wotton as tradition tells us.

Comp. Recept.
18 et 19 E. 3. in
Castro de Berk.

In the 20th yeare of the said kinge, hee built a new house at Over, which John Dowle, now lord thereof, of late tooke down, erecting a fairer in the place, after the fashion of these our times, But the aged countenance of the first, shewed the beauty and greatnes it had at this time.

Comp. Rec. 20 E.
3. in Castro de
Berkel.

The same yeare hee bestowed one hundred pounds in repairing his house at Wotton, And in other years the like.

Comp. de Wotton
in eodem anno.

In the 22^d and 23th years of that kinge hee much re-edified his Castle of Beveston, where hee spent many months in the yeare, espetially after it was become the Joynture of his second wife, and entayled upon her children. Others lye hidden from mee. |

Comp. Rec. eisdem
annis. in Castro
de Berkeley.

His forren imployments

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Herein I will turn my self to this lords imployments under king Edward the third, after the death of the lord Maurice his father, leaving those other services wherein hee bore Arms in the life of his grandfather and father, to the mentions thereof in their lives already made, and to what hath been before touched in the life of this lord himselfe.

The 5th of Aprill in the first of kinge Edward the third, the kinge writes to this lord to meet him at New Castle upon Tyne, upon Assension day followinge, with all his forces to goe against the Scotts. And the 28th of the same month by his second Ires, directs this lord and Maurice his brother, and John Maltravers the younger, to goe to the Castle of Bristoll And thence to bringe with them to him into the north parts all his Armories and other things which they should there find, giving them a further authority to take up for convey thereof what carriages they would, when where and how they would: Accordingly they keep their time, And shortly

Rot. Scotiæ. 1. E.
3. m : 6.
claus. 1. E. 3. ps.
1. m. 22. dorfo.
Comp: Wilti Side
Rec: 1. E. 3. in
castrode Berkeley.

Daniell fol. 185 et alii. shortly after both the Armies of English and Scottish encounter at Stanhope parke: Howbeit though the English were thrice greater and might presently have vanquished their enemies, yet by the treason of some greater men, (as it was bruted,) they all escaped: with which treason Mortimer this lords father in lawe was three years after charged in parliament and executed. And the third of July following, this L.^d and John Maltravers come back from Yorke, by leave obtained of the kinge, with the allowance of two hundred pounds for their Journey. And then alsoe received from the kinge an unusuall Comission, (greater then of any lieutenancy and an ill president to posterity,) under y^e great seale, dated the first of July in the said first yeare of his raigne whereby they two were made principales et capitales custodes pacis, principall and cheife Justices of the peace, in the Counties of Gloucester, Wilts, Oxon, Berks, Southton, Somerset, Dorset, and Hereford, to survey and oversee the actions and behaviours of all Justices and Magistrates in those Countyes, howe they had or should demean themselves, And to punish both them and all other offenders in those Countyes by death or otherwise, with a command to all Sherifes and other Subjects to ayd and attend them in execution thereof; from March before which comiss. for the last five months, this lord and S^r William de Wauton one of his household had only been in Comission for the peace in the County of Gloucester, and none other with them.

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Comp. Rec: 2. E. 3. in Castro de Berk: Howe. In the second yeare of that kinge, this lord was sent against the Scotts, as well for repressing of inrodes and incursions, as to treat about a peace; In which Journey this onely I find, That for his provision on the way, hee tooke with him from Berkeley nine Lamprey pyes; unles I should say they were to give the Queene mother, or his father in lawe the lord Mortimer; whose recognizance the second of March at Yorke hee then had for payment of—850^l for his daughters portion formerly by this lord taken to wife as hath beene said.

claus: 3. E. 3. dorfo. The 14th June in the third yeare of his raigne, the kinge, (then but three dayes before returned out of France,) wrote spetially to this lord to come to him to Windfor the morrowe after Mary Magdalens day, to have conference with himselfe of the affaires of the kingdom; At what time the tres were sent to divers others. And in like maner was this lord sent unto the 5th of June in the 4th of the kings raigne, to come to Osney Abby on the day of y^e translation of S^t Thomas for the like conference. And the like againe the same yeare to bee at Nottingham on munday next after the feast of S^t Katharine the virgin for the like conference with the kinge. And the like againe the fifth of Novem^r in the fifth yeare of the kings raigne to come to the like conference to Westminster octabis hillarij next after.

In

In the 6th yeare the kinge comands his slierife of Gloucester shire to Arme and fend him one hundred Archers for his Irish service, to bee chofen by the advice only of this lord Thomas.

claus: 6. E. 3. m. 16.

The 21th of March in the 7th of his raigne, the kinge sends to this lord to meet him on Trinity funday next after at Newcastle upon Tyne, cum equis et armis quanto decentius et potentius poterit, with horfe and Arms as decently and powerfully as hee could, to goe against the Scotts: And to this warre, out of the County of Glouc: were sent . 500 . footmen, 1000 . quarters of Wheat, 500 . quarters of beanes and . 300 . bacon hoggs.

claus. 7. E. 3. dorfo.
Scotiae. 7. E. 3.
m. 23.
claus. 7. E. 3. pars.
1. m. 19.

And to the accord made between the kinge of England and Mounseur Willm de Keth, governour of Berwicke under the Scotts, to deliver up the Town if the kinge of Scotts did not ayd them by a day, this lord Thomas was a witnefs, and one of those lords that gave oath for the king of England to | performe the agreement, dated the 16th of July at the feidge of Berwike.

Rot. Scotiae: 7. E.
3. m: 16.

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And upon the 19th of that July is a great victory obtained by battle against the Scots, for which, the 22th of the same month, publicke thanks is commanded to bee given to God throughout all England for so great a victory.

claus: 7. E. 3. ps.
1 in dorfo.

In the 9th of the kings raigne this lord was with the kings Army in Scotland, and there had of his own proper retinue, thirty eight men of Arms, whereof himself a Banneret and fix other knights, And for his wages received of the kinge—190^{li} And had more of his own, twelve Archers horfemen, for which hee received—16^{li} 16^s 00^d—wages.

claus: 9. E. 3. m. 8.

libercomp:hospitij
et garderob: regis
cum Edo. Dering.
bar!

And in recompence of his somers service, the 13th of October then at Berwike upon Twede, hee obtained this favor; That whereas hee, as well for his owne debts as for the debts of his father as of other his Ancestors, owed divers fums of money to the kinge, And that whereas the kings father owed to the lord Maurice his father . 600^{li} for the time hee was governour of Berwike which is unpaid, That now upon Accompt one debt should bee fet against an other, as in iustice was fit, And accordingly each to bee discharged against the other.

Rot. claus: 9. E.
3. m. 8.

The 6th of May in the tenth yeare of the kings raigne, the king sends to this lord to keep safely all the ports and landing places in the three Countyes of Glouc. Wigorn.

Rot. Scotiae. 10.
E. 3. m. 25.

liber cum Edō
Deering p'dict

Wigorn. and Hereford, leaft the Scots or any other forreyners with whom they had confederated, (meaning the Welsh,) fhould annoy his people in thofe parts, who in great numbers with much fhippinge were now upon the feas : which forefaid booke fhewes the meffengers wages bringing thefe tres from the kinge to this lord.

claus : 10 : E. 3.
in. dorfo :

The 24th of Auguft followinge, the kinge in his writ fent to this lord, declares that hee had held a fpetiall treaty with the kinge of france, to have had paffage through his Country towards the holy land, and for a finall peace to bee had betweene himfelfe, the kinge of France, and the Realme of Scotland ; And how hee had received his anfwer from the kinge of France, That hee would help the Scots all hee could, And that accordingly hee armed men and fhips in great multitudes, And therefore requires this lord to meet other Noble men at Nottingham on munday next after S^t Mathews day, to conferr w^t was to bee done therein. |

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Scotia : 10. E. 3.
m. 5.

liber cum Edō
Deering p'dict

Warr with Scotland is determined upon The County of Gloucefter fends thither . 2500 . Soldiers, befides the townes of Glouc : and Bristoll ; And this lord I find to bee at Strivelin in Scotland with the army the tenth of November followinge, where hee had of his own retinue nineteen men at Arms and others ; **And** for his service from the 17th of November in the Tenth yeare, till the tenth of December following, received for himfelf being a Banneret 4^s a day, for each of his knights 2^s a day, And for each other man at Arms . 12^d a day.

Rot. Scotie. 11.
E. 3. m : 3.
Rot. Vafcoñ. 11.
E. 3. m : 26. et. 28.

A good part of the former part of the 11th yeare of this kings raigne was by this lord beftowed in mufteringe and Arming of foldiers in the Counties of Glouc : Somerfet, Worcefter, and Hereford, fome of each County to goe for Scotland, and fome for France ; And the better to fpeed the fervice, gave him herewithall a Comiffion and power to ufe martiall lawe if need required, as his fole Leivtenant in thofe Counties : which fervice performed, hee went himfelf in the end of that yeare with fome of thofe men againft the Scots, whom the French kinge had ftirred to take arms, the fooner to withdraw the Englifh out of France where the warrs grew very hott : In which Northerne Journey this lords charges came to—269^l 4^s 5^d ob.
His younge fonne Maurice, (after lord,) then waiting upon him, of the age of feaven yeares ; occationed perhaps by the death of the lady Margaret his mother, who dyed the fifth of May the fame yeare ; **And** in this yeare the kinge fent three feverall times to this lord to attend him at Stamford, Weftminfter, and againe at Weftm^{on} to confult of the great affaires of the kingdome with him, which times hee kept ; At the laft whereof the propofitions were agreed upon, which throughout
England

Comp. garderob.
11. E. 3. in caftro
de Berk :
claus : 11. E. 3.
dorfo. ptes. 2. et. 3.
Comp : garderob.
p'dict.
claus : p'dict
pars. 2. dorfo.
pat : 11. E. 3.
pars. 2. m : 3.

England were to bee imparted to the people in each County, espetially touching the kinge of ffrance nolens nec paci, nec pacis tractatui consentire, who would neither agree to peace, nor to have any treaty for peace, And thereby was the English Crown like to bee put to importable expences: And so follow the propositions in this roll, wherein the kinge desireth to know his subiects minds: To import which to this County of Glouc. were appointed this lord Thomas, Withm Tracy and Withm de Cheltenham two of his houshold knights.

Comp : garderob.
p'dict

And havinge received an other Comission from the kinge in October, to | repress the insolencies offered by Armed persons to the Bishop of Bath and Wells in his manor of Chedder in the County of Somerfet, which manor the kinge had licensed him to disafforest and to hold free in fevalty, and to make a parke there &c., who beinge many in number both of horse and foot, had beaten wounded imprisoned, yea and robbed, diverse of the Bishops servants, And for that neither the Sherife of y^e County nor the Justices, (though thereto by the king spetially comanded,) had repressed them, Therefore this lord was required to goe to the place, make proclamation of the kings peace, and to arrest and punish all those offenders; which beinge done, hee hafted towards the borders and warrs of Scotland.

pat : 11. E. 3. ps.
3. in dorfo.
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And returninge from Scotland about the midle of winter, was in the first openinge of the springe and for some part of the somer followinge, (being the 12th of the kings raigne,) employed in musteringe and Arming of soldiers in the County of Gloucester, Worcester and Hereford; In which Counties this lord was also in Comission for the peace, And had also in them (almost) an unlimetted authority of Leivtenancy by other patents and comissions; The most of which soldiers were sent into France where the English had great warrs both by sea and land. **And** as this lord in these Counties was much employed about the woolls which were now become the kings sole comodity for the better maintenance of his great warrs, Soe as fast in other places were other Comissioners employed in borrowinge the chalices and other plate of Abbots and Churches, for the kings more speedy passage beyond seas with his Army.

Vafcon. 12. E. 3.
m. 11.
Rot. Alimañ. 12.
E. 3. pars. 2. m : 1.
et. ter postea.

Rot. Alimañ eod :
anno: pars. 1. m. 18.

And in July in this yeare was this lord joyned with Richard Earle of Arundle, to array and furnish with Armes for these forren warrs all the able men in the Counties of Glouc., Worcester, Hereford, Salop, Stafford, Warrwike and Leicester; And with Hugh Courtney Earle of Devon for the arminge of all the able men in the Counties of Cornwall, Devon, Somerfet, and Dorfet, and some others, for the

pat. 12. E. 3. dorfo.

faid

faid warrs ; **The** Comissions of record for this year shewing this lord to bee more generally employed in these martiall and Civill services under the kinge, then any other subjeēt whatfoever.

claus. 12. E. 3. ps.
1. dorfo. et pars. 2.
et. 3. in dorfo.

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Besides in point of Counsell, I find this lord in this yeare also, as well before the kings departure for ffrance, (who tooke ship at Orwell | the 16th of July,) as after his departure, (his sonne Edward the Duke of Cornwall¹ being left protector of the Realme in his absence,) to have been sent for to Counsell and conference thrice this yeare to Northton and Westm̃. ; whereby it must neffessarily bee concluded that this lord was a most able and prudent lord, fitted for Mars and Mercury.

claus : 13. E. 3.
ps. 1. m : 47.

And as a recompence for his late services, obtained from the faid Protector a Warrant to the Treaforer and Barons of the Exchequer, declareing how that the kinge owed him upon three bills—52^{li} 6^s 8^d for his horses lost in the late Seidge of Dunbar, requireing them to see him p^d that money, if they find not the same already paid.

Rot. Aliemañ. 13.
E. 3. in dorfo.

In ffebruary in the begining of the 13th yeare of the kings raigne, this lord was againe employed in Arminge of foldiers, as well in Aid of the kinge beyond seas, as to resist the invasions of the Scots at home, and to defend the seas against the French, who with a great navy were ready to invade the land ; And as the words of the record, (here marginald,) expresly are, All able men throughout the kingdom were now armed and imploy'd, And indeed the wholl land was more now improved to her utmost, then I have observed it on record at any other time : yet did this lords own County of Glouc. Arme out for these warrs this springe, but. 563. men, through his favor towards it.

Rot. parliameñ.
13. E. 3. pars. 1.
Aliemañ. 13. E.
3. m : 2.

And as soone as this lord was returned from the parliament holden in 15nd Michis this yeare by the faid protector in the kings absence, (whereat an excessive contribution was given for the kings warrs, but upon such wise terms as is fit to bee a president for after ages.) The kinge the 6th of November followinge writes to Wittm Trussell his Admirall to deliver to this lord one stronge shipp of his fleet well and sufficiently furnished, of those that then were goinge out of the mouth of Thames, for himself and his company to wthstand the invasion of the enemy in the west part of England.

Two

¹ The Letters Patent creating Prince Edward Duke of Cornwall bear date 17 March, 11th Edw. III. [Ed.]

Two other troublefome Comiffions this lord Executed alfo this yeare in the Counties of Glouc. and Somerfet; The laft whereof fheweth howe S^r Alan of Cherleton knight and his complices, havinge firft been himfelf robbed and his houfe broken, after joyned with the theeves and robbed many others, committinge divers burglaries in thofe and other Counties, which by this lord were to bee fuppreffed.

pat. 13. E. 3. dorfo.
pars. 1. et. 2.
in dorfo.

The 21th of february in the 14th of his raigne, the kinge out of ffrance landed at Orwell; And havinge held his parliament in May hee the 22th of June | followinge tooke shippinge againe at the fame place, whom this lord Thom^s as a moft able fea Captaine attended; And the fecond day after, beinge S^t John baptift day, gave a great overthrowe to the ffrench Navy then quiet in the port of Swyne in flanders, prepared to have impeached the paffage into France, for which victory the 28th of that month publicke thanks to God were commanded to bee given throughout the land; **At** which time the kinge of England, to ftrengthen his navy, had a fewe weeks before taken up all fhips here at home of the burthen of thirty Tuns and upwards; **And** by his comiffion dated the 16th of March before, gave authority to this lord to arreft all fhips above that burthen in the port of Bristoll, and in the Counties of Somerfet and Gloucefter, to bee at Sandwich by palmfunday after.

Claus : 14. E. 3.
pars. 1. in dorfo.
372

The Army which the kinge this fommer in the 14th of his raigne had in ffrance was great; concerninge which it was by Indenture betweene the kinge and this lord agreed, That hee should goe with him into France and ferve as Marfhall of his Army with Thirty men at Armes of his own providinge, befides others, as the Indenture in the Pell office at Weftm^{on} declares; for which thirty men at Armes hee had the kings pay; the refidue hee then had were of his own private company.

Indenture in le
pell office bundle:
11. cum Edo
warde milt.

In battle firft, laft in retreats, in breefe

In action, foldier: In direction, cheefe.

In the agreement made at Bruffells betweene the kinge of England and the Duke of Brabant, for a mariage betweene the kings eldeft fon and the Dukes eldeft daughter, bearinge date this midfomer day, amongft other (nobles homes de part le roi dengleterre,) this lord Thomas was one of the twenty fix that undertooke performance for the kinge of England. From whence returninge into England, the kinge the 24th of Auguft wrote to this lord, to bee at Michaelmas after at New-castle upon Tyne with as many men as hee could Arme, to goe with others of his ranke againft the Scots, to raife the Seidge which the Scots had planted about the Cattle of Strivelen.

Rot. Aliemañ. 14.
E: 3. m. 28.

Scotia: 14. E. 3.
in dorfo.

pat. 14. E. 3. pars.
i. in dorfo quater.

claus : 14. E. 3.
dorfo.

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Rot. parliam. 15.
E. 3.

claus : 15. E. 3.
ps. 2. in dorfo.
eodm. m : 39.

ffive or more other Comiffions this lord executed in this yeare, before and after his journey into Scotland, in the Counties of Cornwall, Devon, Somerfet, Dorfet, Wigorn. Glouc. Wilts, and others, for the peace of thofe places, and furtherance of the kings affairs, besides | his attendance in parliament : from whence noe fooner almoft returned, (which began. 15nd Pafche in the fifteenth yeare of the kings raigne, whereat hee was one of the Tryers of petitions,) but the 12th of June following, hee was required by the kinge to come to him to the Tower, to confult there with other noble men of the urgent affaires of the kingdom ; The effect of which confultation appeared in a proclamation of the firft of Oclober followinge, fent into all the Counties of England, whereby the kinge declared that hee did retract the lawe made at the laft parliament, becaufe it was exprefly contrary to the laws and cuftoms of England, and to his kingly dignity not only prejudiciall but reproachfull alfoe : And therefore fith hee was bound by his oath to the obfervation and defence of the laws and cuftoms of England and of his own rights and prerogatives, Hee nowe did of right recall what hee had at the faid parliament improvidently affented unto and done, wrefled from him by overmuch importunity, when indeed hee did but difsemble his affent ficut opportuit, as it behoved him upon neceffity of his forren affaires that then preffed him ; And therefore now revokes that Statute And declares it to bee of noe force.

claus : 15. E. 3.
ps. 3. in dors : m.
vlt.

It feemes this Act of the kings bread noe good bloud in the bofomes of the reft of the peeres not prefent at this Tower conference, (for only . 22 . were called by the kinge,) for the Arch-bifhop of Canterbury forthwith after calls a provinciall Synode, and intends to proceede by ecclefiafticle cenfures againft the kinge and all that counfell that advifed him to the recallinge of this Statute ; whereof the kinge beinge timely advertifed writes to him the firft of Oclober, declareing the wholl matter as before, and exprefly forbids him to proceede in any fuch courfe, either in corroboracōn of that pretended Statute, or to the diminution of his regall prerogative, or to the detriment of any of his Counfellers or ferv^{ts} that were lately with him at the revocation thereof, upon his utmoft perill ; which if hee obey not, hee will hold him as his enemy and a violater of his regall rights : Addinge that if hee had not affented to that prejudiciall Statute by diffimulation, all his fubjects had rifen and departed in difpleafure and difcord, and his warrs with france and Scotland had perifhed.

Eodē : in p^{re}dict.

The like at the fame time the kinge wrote to the Bifhop of London. I find noe more hereof.

Upon

Upon this lords retorne from the Tower conference, hee was employed in divers Comissions touchinge the peace and government of the people in the | Counties of Somersfet, Dorset, Gloucester, and others, the rest of the fomer time, as in former times hee was mostly accustomed.

Rot. fin: 15. E. 3.
m. 15.
claus. 15. E. 3.
pars. 1. m: 47.
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et. pars. 2. m: 7.

And the 4th of December followinge, the kinge from Newcastle upon Tyne, writes to this lord, declareing that hee was nowe come thither, And y^t by the purification of our lady next hee must retorne from thence by reason of his great affaires with France, And therefore intreats him in all the love hee may, That in such a necessity of affairs and state as he now stands in hee would be partaker of his labor and travell, And to come thither to him by the 24th of January next, to ride upon their march into Scotland, And to bringe with him fiftene men at Armes, and his Archers: And this at this time to doe, as hee loves him, and that hereof hee will have such a consideration as shall deservedly content him.

claus: 15. E. 3. ps.
3. m: 9. in dorlo.

Out of thefe Northern parts, hee is the 25th of February followinge, fomoned by the kings writ to bee the morrow after Ester day at the kings great Counsell at Westminster, there to advise with other noble men of the great affaires of the kingdome; whither also in like fort were called Maurice Berkeley his brother and Thomas de Bradston, of both which worthies, I have already written.

claus: 16. E. 3.
ps. 1. in dorlo.

At this time this lord takes upon him to bee warden or governor of the Marches over against Scotland, And agrees with the kinge that hee will bee there the second of June followinge, And there make his abode with thirty men at Armes of his owne, whereof himself to bee one, one Banneret, six knights and. 23 Esquires, and twenty Archers for the defence of those parts, and for the repulse and destruction of the Scots his enemyes, for one quarter of a yeare from the date of this Indenture betweene the kinge and him, under the wages of 4^s a day for himself, 2^s a day for each knight, 12^d for each Esq^r and 6^d a day for every Archer; which for the quarter is here said to come unto—222^{li} 19^s—**And** this, together with one hundred pounds more of the kings free guift to him, to bee paid out of the Customes of Wools in the Counties of Cumberland and Westmoreland, the one half at S^t John Baptist, the other at Lammas. And at this time it was, That this lord at Blackbourne in Scotland, then generall of kinge Edwards forces, gave that great overthrowe to the lord Willm Douglas, whereof often mention is in the Scottish and other Histories.

Rot. Scotiæ. 16.
E. 3. m. 10. et. 14.

Speed. fo: 570.
Hecī. Boetius,
Buchanan: et at:

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Rot. Scotiæ. 16.
E. 3. m : 7.

The 26th of September followinge the kinge writes to his Collector | Willelm de Durefme, commandinge, (as before hee had done,) that under the payne of forfeiting all hee had to loofe or forfeit, hee should forthwith pay to this lord Thomas de Berkeley—222^{li}—19^s for his wages, nowe being in the Marches of Scotland at Carleion for the safe custody thereof, with a certaine number of men at Armes; And one hundred pounds more which hee had given him; for want whereof hee was ready to quit the place to the kings great prejudice and danger of the kingdom; **Howbeit** hee had not this money till the 18th of May in the yeare following, And then it was paid out of the custome of the woolls in the port of Southton.

Rot. fin. 17. E. 3.
m. 21. et in dorfo.Claus. 16. E. 3.
ps. 1. m. 7. et. 17.
Baron.

The tenth of May this yeare, the kinge by his privy seale commands the Sherife of Somersfet and Dorset shires to pay to this lord Thomas as a Baron. 20^s a day, And to Willelm de Cheltenham as his servant. 5^s a day out of the profits of the extraicts of the fines and amercements which in their severall sessions in those Counties should arise, accordinge to an ordinance lately taken by him and his Counsell, whereby each Earle should have. 26^s 8^d per diem, each Baron 20^s each Banneret. 13^s 4^d each Knight 6^s 8^d And each serviens (minister). 5^s per diem, wherein they shall intend the execution of the kings Comission for hearinge and determininge excesses and disorders amongst his people. **This** allowance somewhat countervailed the travell and expences this lord was at in execution of many Comissions this and other yeares in diverse Countyes, as appeareth.

Rot. franc. 18. E.
3. m : 9. et. 11.

In the 18th of the kinge, this lord with Thomas de Bradston and Simon Basset, then Sherife and Escheater, were authorized first to Arme. 222. men, and after. 400. more, out of the County of Glouc. and Bristoll, to bee conducted whither this lord or Thomas de Bradston should direct.

pat. 18. E. 3. pars.
2. in dorfo.

And this lord and Thomas de Bradston were at this time also authorized to put the ordinance in execution, That each subject havinge. 100^{li} p ann. fit sagittarius et eques; Havinge ten pound land fit hobellarius armatus, a light horsfeman armed; and shewes how having 25^{li} fit homo ad arma; Havinge 50^{li} land habeat secum unum alium hominem ad arma: havinge 100^{li} land habeat secum tres homines ad arma: havinge above. 100^{li} land to bee assessed at more men att armes, accordinge to the said rates: But this was somewhat eased the same yeare, because (saith the record) the people were overmuch grieved therewith

pat. 18. E. 3. pars.
2. in dorfo.

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And at this time were only this lord and Thomas Berkeley of Cubberly, W^m | Tracy, and Willelm de Cheltenham aforefaid, in Comission of the peace for this County

County of Gloucester: which Cheltenham with this lord fat and executed many Comissions alone, touching the peace in this and other yeares.

claus : 19. E. 3.
dorfo.

And as well this as the last yeare was this lord Thomas at the two parliaments at Westminster, And thereat specially employed as a Committee in the painted Chamber without the parliament house, the rather here noted for the name of that chamber yet remaininge.

Rot. parl: 18. E. 3.
et. 17. et. 20: E.
3. in arce Lond:

In the 19th of the kinge this lord was in Scotland with all his household knights, whose good services under him hee rewarded at his returne, as his receivers Accompts shewes.

Comp: rec: 20. E.
3. in castro de
Berkeley.

And beinge from thence returned to Berkeley, the kinge the 28th of Aug^t, writes to this lord and to Thomas de Bradston and to the Sherife of the County of Glouc: That they cause, under the conduct of this lord and Bradston, all the able men of this county of Glouc: to bee at Portsmouth three weeks after Michaelmas day, to goe with the kinge to succour his frends and to make an end of the wars with france at once; This as the marginalls shew, was the greatest preparation for men and provision that formerly had been made for france.

Rot. franc: 19. E.
3. pars: 2. m: 8.

Rot. franc. 19. E.
3. ps. 1. m. 4. 6.
et. 8. et pars. 2.
m. 1. et. 6.

Of the twentieth yeare of this kings raigne, histories run to this effect; The truce that had for three yeares been made with france expires: July is come, the kinge imbarks himself for france with forty thousand English men in the greatest fleet that ever passed the Seas for france: landeth in Normandy: The famous city of Cane in Normandy is besieged and taken by assalt, with more than one hundred other forts and places of defence: And to end the worke of that bloudy somer, The great and ever-memorable battle of Crecy is fought upon the 26th of August in this Twentieth yeare, Anno. 1346. where the victory fell intirely to the English: And one of the speciall great men, (saith Daniell,) who were Actors in this worke, was this lord Berkeley. The french kinge flies from the feild, leaving the two kings of Bohemia and Majorca, his companions in Arms, (fighting on his part,) slayne in the feild, with foe great a number more as the sword in two days and one night could devoure, for proclamations on either part had made it death to take a prisoner: The 4th of September following Calais is besieged by the kinge the space of eleven months eare hee taketh it; under the walls whereof S^r Maurice Berkeley of Stoke, this lords second brother, one of the best soldiers of his time, leaves his bones, as formerly hath beene written. |

Daniell fo: 198:
Hollings. 369.
How. 242. et al:

Anno. 1346.
Daniell. 298.
Speed fol: 579.
et al.

fol: [305]

377 **Nowe** heare what the records of this yeare do deliver; the kinge the 12th of July landeth at Hoges in Normandy with prince Edward his eldest son, it being his first Journey, and then of age of fiftene yeares, leaving Lyonell his second son custos of England, to whom this lord is associated as one of his Counsell for the better government of State affaires; And thereby hee became a Witnes with others of the Counsell to the grants and deeds of the said Custos made in the kings absence.

The 30th of July the parliament is somoned by the Custos of England, to bee holden at Westm̃. on munday after the feast of the nativity of our lady, whereat this lord was present, And at this time is custos forestar̃ regis citra Trentam, Justices in Eire of the kings forrests and Chaces on the south side of Trent, with the fee of one hundred pounds p añ, havinge the fiftenth of the same July received a generall Comission for execution of the statutes of Winchester and Northton for conservation of the peace in the County of Gloucester.

The tenth of March before, this lord received the kings Comission with Thomas Berkeley of Coberley, Willm Tracy, and Willm de Cheltenham, to see carefully to the preservac̃on of the sea coasts in the County of Glouc., And appointed the Soldiers of the Counties of Worcester and Hereford to bee aydinge to them whilst the kinge should bee beyond seas in france against Phillip de Valois his adversary, who had assembled an huge power at sea, machinans si possit linguam delere Anglicanã, devying if hee can, to blot out the English tongue, saith this record.

And the thirtieth of the same month, this lord is directed to send one hundred of those two hundred Archers to Carmarthen in South wales, which hee and Thomas de Bradston had chosen arrayed and tryed in the County of Glouc: to goe from thence into Gafcoigne in france, under Henry Earle of Lancaster and Derby.

And the 8th of December this lord is further directed to send to the kinge, then at the Seidge of Calais, twenty men at Arms and forty Archers, de familia sua, of his own household, or, as hee thought good, to provide them of others elce where.

The tenth of Aprill in the 21th of the kings raigne, this lord, with Robert fitz Payne and John Wake, havinge formerly beene required with the Sherife of Dorsetshire by the Custos of England to keep all the havens and coasts where shippes may arrive in the County of Dorset, and to resist all that arrive or come by sea or land
of

of what quality foever, And to that end to Arme all men in that County able to bear weapon, | And to doe further whatsoever they think requisite for the safe keepinge that Country by sea and land, And to depute what Captaynes and officers under them they please, with absolute power to punish all refractory and rebellious persons, &c. Now for that this lord Thomas de Berkeley hath noe land in that County but is continually abidinge in the County of Glouc: And for that the said John Wake is sent for to come to the kinge at Calais, Therefore John Mautravers the younger and Nicholas de Poyntz are substituted in their places. 378

The 14th of May in the said 21th yeare, the kinge then at the seidge of Calais, and expecting battle from the French to raise that Seidge by an huge Army which marched thitherwards, writes to this lord Thomas to this effect: Because wee (faith the kinge) certainly understand, That our enemies of France having gathered together all the power thereof, will give us battle before Whitfontide next, whereby wee shall have need of your ayd in this time of necessity, Therefore wee do desire you in the faith, love, and allegiance that you doe owe us, That considering the necessity of the premises, you send unto us soe many men at Arms and Archers, as well of your own family as which otherwise you can raise and well Arme, according to the degree of your callinge, not staying for the shiping of their horses; And this wee pray you to perform as you love us, and our honor, and our safety and defence of our kindome.

Rot. franc: 21. E. 3.
pars. 1: m: 10.

Upon which faire and gracious invitemēt this lord went over sea in person, And as by the antient roll of the Seidge of Calais appears, had there of his own retinue, a Banneret, six knights, 32. Esquiers, 30. Archers on horseback, and 200. Archers on foot, under his command; But the French retireinge this lord forthwith returned for England.

Hollingsh: fo: 369.
379: et divers: alij
Rot. obfidion
Calefil. 21. E. 3.
in thefaur: scij.

The employments of this lord Thomas in delivering of the goales in this County of Glouc. and others, and in attendinge at the parliaments, and in leavyinge of aid after forty shillings for every knights fee to make the kings eldest son knight, and in repaire to the Custos of the Realme upon spetiall somons in point of Counsell, with other of the nobility, with the execution of their Comissions, gave him in this sommer no manner of rest; wherein none proved more troublesome then the appeasing and punishing of a very great assembly of most riotous and rebellious persons of the Counties of Glouc. | and Somersfet and of Bristoll, who had, (as the record speaks,) taken upon them regall power, and Chosen a Captaine in the nature

pat: 21. E. 3. pars.
3. in dorfo.

claus: 21. E. 3.
ps 2: in dorfo:

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of a king to govern them; And after proclamations by them made, had entered upon divers ships laden with corne and other provisions, ready to goe by the kings command into Gafoigne, And by violence had taken the same away and had beaten and wounded divers of the Mariners.

pat. 21. E. 3. pars.
3. in dorfo.
cart. 22. E. 3.
m. 11.
vide fol. [385]

The king returns from the taking of Calais in October in the 21th of his raigne, And the second of December following hee grants to this lord and his heirs to have two faires yearly at Newport within the parish of Berkeley, The one in the vigill, day and morrow of the Tranflation of S^t Thomas, And the other in the vigill day and morrow of S^t Maurice, which in that small throughfare hamlet pcell of the manor of Alkington do continue to this day: And this seemes to bee y^e reward of his late Journey in the Seidge of Calais.

pat. 22. E. 3. ps. 3.
m: 1. et. 11.

And the tenth of January in the 22th yeare of this kinge, are the kings licences to this lord to alien his Castle and manor of Berkeley, whereof much in many places of this history upon severall occasions is after written.

Walsingham et al.

Of which 22th yeare and the next of the kings raigne is little to bee written, nothinge being done abroad, in effect, through the great mortality of the plague that raged all over the land; which as the historiographers of that time deliver, confumed nine parts in ten of the men through England, scarce leaving a tenth man alive; more then the Comissions to this lord and others to governe the people and to punish offences in the Counties of Glouc: Oxon and Berks.

Hollings: 379.
Froisard. cap. 151.

That important peece which force could not keep, trechery practifeth to regaine; Calais to the greife of France continued English; The French do practize with the Captaine thereof for betraying the Town into theire hands; The Conditions are agreed upon, And twenty thousand Crowns are received; king Edward hath notice of the plot: Hee not more carefully choofeth out seaven of his principall martiall worthys for valor and wisdom, then secretly hee conveys himself with them to Calais, the evening before the Town should bee delivered: of whom this lord Thom^s is one: The ffrench approach to receive the Town, having paid their money, | The king fights as a Comon foldier under the banners of these worthies,¹ The ffrench are slaine down right, The Town is preserved, The king with his seaven Martiall worthies returneth for England, And this lord is come back, ere hee was missed at Berkeley.

Froisard. fo. 74.

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The

¹ The King placed his men in ambuscade in the rooms and towers of the Castle, and said to Sir Walter Manny, "Sir Walter, I will that you be chief of this enterprife, and I and my son will fight under your banner."—(Frois. I. p. 192.) [Ed.]

The 20th of March in the 24th of his raigne, the king writes to this lord, That whereas by the comon consent of his Barons, hee purposeth speedily to goe beyond seas for the necessary defence of the kingdom, for which Expedition many of the nobles do provide themselves, quanto potentius possint, to their utmost powers, And thereupon (saith the king) wee wrote to you to come to us and our Counsell to Westm̃ with all speed, (or some for you,) to treat with our Counsell for the manner of your going, But having hitherto heard nothing from you thereof, wee now strictly command you to come to us in person to Westm̃ the morrow after Ester day, to treat with our Counsell about your going, And to doe w^t by our Counsell shall then bee ordered; And this omit not as you love our honor and the salvation and defence of the kingdome.

Rot. franc. 24 E.
3. in dorso.

The 14th of June in the 26th of his raigne, the king writes to this lord Thomas, Guido de Brian and Thomas de Bradston, to keep strongly the sea coasts in the Counties of Glouc: and Hereford against the king of France, who provides an huge Army to invade the land by incursions, giving them an absolute authority to raise any forces to that end.

franc. 26. E. 3.
m. 5.

I find by divers chronicles That this lord in the 29th of the king went over with the prince of Wales into ffrance, who was that year made by the king his father governour of Gascoigne and Aquitaine, with whom went also Maurice this lords son and heire; And that both of them in the year following were with the prince at the great battle of Poitiers fought the 19th of Sept^r 1356. where the kinge of ffrance with his son Phillip were taken prisoners: whereat also this said Maurice by his overmuch valour was taken prisoner as after followeth in his life: Neither did this lord return from the french warrs till the 31th yeare of the kings raigne, when the age of .65. and greife for his sons captivity whispered to him to lay down those Arms which thrice in the raigne of the last king and 22. times in the first thirty years of this, in the voyages of so many years hee had put on, against the French by sea and land, & against the scots and Welsh; And to prepare for that quiet sleep of grave, from whence so good a lord cannot, (ayded with gods mercy in christ,) but awake to immortality, w^{ch} y^e title of his Almes and devotions may y^e better assure us, |

Hollings: fol: 389.
froifard fol: 82.
et dive[r]s: at.

fol: [429]

Comp: de Portbury
31. E. 3.
pat. 32. E. 3. pars.
3. in dorso bis.

His recreations and delights

Touching the delights of this lord Thomas; hee much enlarged Whitcliffe parke, And instead of the hedge which each three years was with excreffence of
2 T 2
thornes

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carta in castro
de Berkeley.

Comp: rec. 2. E. 3.
in caſtro de Berk :

thornes there growing, new made, and the old fold, hee firſt paied it, And therein put certaine white deere which hee had of Wiſſm de Monte Acuto Earle of Salisbury; A ſtrain of variety above any of his Anceſtors.

cartæ in caſtro
de Berkeley.
See fol. [149]

Hee alſo added Catgrove, hanging grove and other grounds to Newparke, which before and at this day for the moſt part conſiſteth of the lands that antiently were part of the manor of Appleridge, half now ſwallowed in name and ſubſtance by its great neighbour the manor of Hame.

Comp: mañij de
Alkington. 12. E. 3.
in caſtro de Berk:

In the Accompt of Alkington in the 12th of this king, I find that at the Court of that manor, the Jury (called the homage) were amerced 3^s 4^d which was leavyed upon them, for concealing, that is not preſenting, the death of a Stagge that was there Stolen, which word (cervus) is the firſt which I have met with in this family, And therefore conceive that this lord Thomas now firſt brought in thither that beaſt of venery, and put them into that Chaſe of Michaelwood, parcell of that manor of Alkington.

Comp: de Hame
22. et. 23. E. 3. et
al: in Caſtro de
Berkeley

For the hounds which this lord kept for ſeverall Chaces, let their number bee eſtimated by one kind of meat they eat, being fourty fower quarters and one buſhell of oats from the manor of Hame in the 23^d of king Edward the third; And as many from Alkington and fower other ſeverall manors: And in the year before from the ſaid manor of Hame, 78. quarters and three Buſhells, And neer the like proportion from other manors: And as it ſeemeth this lord was ſo much delighted with this ſort of recreation, That hee and his brothers have kept out 4 nights and days together, with their nets and dogs, in hunting of the fox; And ſurely nature round about his manors of Simondſfall and Wotton had fitted the foile and Country as invitements thereunto, wherein to this day it is no more renowned and practiſed, as I ſhall more largely touch in my deſcription of Berkeley hundred; And with this delight of hunting this lord began and dyed. |

Comp: man^r de
Wotton. 1. E. 3.
in caſtro de Berk:

As for this lords faulcons and other hawkes, his Reeves accompts of Hame Portbury and Wotton do tell us, That they have eaten five and ſix of their hens in a night and day, whiſt this lord and his falconers ſtayed with them in thoſe manors.

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Comp: Will: de
Syde 1. E. 3 in
caſtro de Berk:
Comp: maner: de
ham: 20. E. 3. in
caſt: de Ber:
Comp: rec. ibm.
20. E. 3.

In the middle of this lords life, hee payed fifteen ſhillings for a tarſell gentle, and 35^s for a falcon; In which ſports neither the uſe nor delight is reprehensible, but the abuſe.

For this lords other delights in martiall Jufts and Turneaments, let it suffice, That in the first year of Edward the third hee went to Blyth, Yorke, and Northiton; And there at Jufts & Turneaments spent at those places—53^{li.} 7^s Comp: gardero: 1. et. 2. E. 3. in castro de Berkeley.

And in the second year to Hereford, And there at Jufts and Turneaments spent—29^{li.} 6^{s.} 4^{d.}

And the same year at Coventry spent—5^{li.} 14^{s.} 03^{d.}

And the same year at Exeter—50^{s.} 4^{d.} ob. And that his Armour for his body that year cost him—11^{li.} 8^{s.} 11^{d.}

And therein exercised his meniall Esq^r also, In dono dñi armigeris suis pro hastiludio apud Bristoll,—26^{li.} 8^{d.}—Given to his Esquiers for to play at Spearplay at Bristoll—26^{li.} 8^{d.} eodē: 1. E. 3.

And so in divers other years till age grew on: I avoid prolixity, And have written of these manner of Exercises in the former lives of two or more of this lords Ancestors.

His purchases of Land

Having already given a tast of this lords husbandry and of the orders hee established for the regulating his revenue and expences, you shall, (as from the fruitfull effect which order produced,) take a tast of the fruite by the lands hee purchased.

In the first year of Edward the third, the year of the restauration of his Barony, this lord purchased divers lands in his man^r of Alkington of Witm Gold. carī in castro de Berkeley.

The same year hee purchased of Roger Burghull the manor | of Tullington, And two parts of the manor of Burghull in the County of Hereford. And the manor of Hatherly in the County of Gloucester, And also all his goods and chattles. 383 carī in castro de Berkeley. finis: 1. E. 3. in banc:

In the second year this lord purchased of S^r Witm de Wawton, one of his own household knights, all his lands Tenements and bondmen in Clapton, Hame and Berkeley. carta in castro de Berkeley.

The same year hee purchased of S^r John de la River knight, divers lands and Tenements in Chricklade in Wiltshire; And more after in 24th of the same kings raigne.

In

Carte in castro de
Berkeley.

In the third year of the fame king hee purchafed of John Sant-Mareis, als de Salfo Marifco, all his lands Tenements and Mills in Woodford in his own manor of Alkington.

pat. 2. E. 3. ps. 1.
m. 4.
Inquis : 35. E. 3.
post mort Tho:
de Berk:

As for his manor and lands in Awre, as hee had the one moitie with his wife, in marriage, fo were others there of better value formerly purchafed in the first of Edward the second of Jone Ban of Midhurft; for which Town I ferved as a Burges in the 18th of kinge James for that parliament.

Cart in castro de
Berkeley.

The fame year hee bought out the estate of the lady Ifable his mother in law, which shee had for life in the manor & hundred of Portbury, and of all her other lands in that County save in Kingstō Seim:

Cart in castro de
Berk.
chartul. 393.
pat. 4. E. 3. ps. 1.
dorfo.
claus. 5. E. 3. dorfo.
eodē in dorfo
cart in castro de
Berkeley.
Claus. 49 E. 3. in
dorfo : m : 33.

In the 4th year, (the year of his parliamentary purgation,) hee purchas'd of S^r Thomas Ap-Adam the manor of Monweoden and Munden in the County of Suffolk, which Ifable Hastings then held for life by the demise of the said S^r Thomas.

The fame year hee purchafed of the fame S^r Thomas Ap-Adam the castle of Beverfton, and the manors of Beverfton and Over in the County of Glouc: and the manor of Barew Gurnay and a messuage and fower Carucates of land in Tickinham in the County of Somerfet; All which John son of the said S^r Thomas Ap-Adam after releas'd; And then also buying out divers freeholders lands that lay intermingled with the demefne lands of Beverfton, hee forthwith stocked the fame wth 1500. weathers hee bought of S^r John de la River lord of Tormarton.

The fame year hee purchafed of John Blake and Petronella his wife divers lands and tenements in Rochull, Whitton, Grete and Stoke.

cart in castro de
Berkeley
finis. 4. E. 3. in
banc.

The fame year hee purchafed of John ffreeman and Margaret his wife the fifth part of the manor of Iron Acton, in the County of Glouc; whereof read among the law futes of Henry lord Berkeley the first. |

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The fame year hee purchafed (but without date) of S^r Thomas de Gurnay divers lands and tenements in Betesly Gorft, Tuddenham, and elce where within the lordship of Strigoill.

Rot. cart: 4. E. 3.
m : 25. et 26.

And the 8th of June the fame year hee purchafed of the king a Confirmation of the manor of Berkeley and Berkeley hernes, wherein are recited the Charters of Henry

Henry the second, Richard the first, and king John, formerly mentioned; And withall a grant to him and his heirs to have return of writs and execution of proces within his hunderd of Berkeley; To which John Mautravers then Steward of the kings houshold was a witnes; which grant (faith the record) is made out of the kings willingnes to doe this lord a further pleasure.

cartæ in castrò de Ber[k]eley sub sigillo
Pafch: rec: 4. E. 3.
rot. 7. in fecio

In the fame 4th and 5th years, by severall deeds of severall lords, hee purchased the manor of Compton Greenfeild near Bristoll.

carl in castr: de Berk:

In the 6th year hee purchased divers houses and lands in Bristoll of severall persons by divers deeds.

Carl in castr: de Berk.

In the 7th year hee purchased Betesly passage over Seavern, with the fishings and divers lands in Betesly, Gorst, and Sodbury; In w^{ch} Betesly his father Maurice had before in the 11th of Edward the second bought divers other lands.

In the 10th yeare of this kinge Edward the third, (which may bee placed in the ranke of a faire purchase,) hee inclosed out of the warth of Slimbridge, fifty acres, now called new leyes, and twenty acres more of the fame warth adjoyning to the former on the North side, first called Cliffords mead, because then let to Clifford of Frampton, And at this day called Katharine Cookes leyes, because it was let, (for fower lives in the time of Edward the 4th.) to Katharine Cooke, a woman of remarkablenefs in Frampton aforefaid, by whose possession her name seems perpetuated, though shee bee dead almost . 200. yeares agone.

Comp. de Slim-bridge 9. 10. 11. et. 12. E. 3. et in alijs annis

fee fol. [363]

In the 13th yeare hee purchased of John de Becklawe, divers lands in great and little Wenden in Essex, & also all his goods & chattles there.

cart. in castr: de Berkeley.

The fame year hee purchased of St. Ralph Wallington lord of Yate, the manor of Elifton in the County of Wilts, in the names of Side & Goldmere his meniall servants, and all his goods and chattles there.

fin: in thesau^r fecio et in castr. de Berk.

The fame year hee purchased divers other lands in Betesly, Gorst, and Tudenham, of Thomas son of Hugh Gurnay of Harpetree.

Carl in castr. de Berk.

The fame year hee purchased divers lands & tenem^{ts} in Gosington and Hurst in y^e County of Glouc: of Jn^o son of Roger Gosington. |

Carl in Castrò de Berkeley.

In

385
Carĩ in castr. de
Ber.

In the 16th year hee purchafed of Ralph de Cobham, the manors of Orkefden and Childington, and all his lands in Bourdeild, Sheve, Aldington, and Shardmarfh, and all his goods and Chattles in them.

Carĩ in caſtro de
Berkeley.

In the 17th year hee purchafed the manor of Winterburne Madington, in Wiltfhire, And the manor of Eftanes in Effex, of John Moynge and of Julian his widdow and Executrix, And bought all her corn growing in thoſe 2 man^{rs}.

finis in banco et in
caſtro de Berkeley.
et. 2. cartæ ibm.

The fame year hee purchafed of John de la Mare, the manor and advowſon of Langly Burell.

finis in caſtro de
Berkeley.

The fame year hee purchafed by fine of Elias de Aylbrighton and Jone his wife, the manor of Barewe in Somerſetfhire.

In the 18th year or thereabouts hee purchafed the manor of Sages called Sages place, and Sages Livelode, within the priſh of Slimbridge, of John Sage, then of the value of 17^{li} p^r anñ; whereof I ſhall write more largely in the life of Maurice lord Berkeley the fifth of that name.

finis. 18. E. 3. m.
7. in recepti ſc^ociij.
claus: 30. E. 3.
in dorſo:

The fame year hee purchafed the manor of Iveden in the County of Buck: which hee fold againe twelve years after to Doly and others, The fame being all the land hee at any time parted from, after hee had once purchafed, for ought I could ever find.

cartæ in caſtro
de Berkeley.

In the 20th year or thereabouts of the ſaid kings raigne hee purchafed in the names of his ſaid Servants Goldmere, Syde and others, divers lands and tenements in Downhatherly Leckhampton and Bentham in the County of Glouc:

Comp. mañij de
Ham: 21. E. 3.
Eſcaet. 9. R. 2:
in turre poſt mori
dicĩ Katharine.

In the 21th year by the marriage of Katharine the widdow of S^r Peter Veell, this lord had the manors of Charfeild and Tortworth, ſtocked with Cattle, and Huntingford and Veelham in the County of Glouc: And the manor of Plympton in the County of Devon And divers lands in Clyvelade in the County of Worcester, And divers lands in Chelworth and Colcote in the County of Wilts; And the manors or Ablington Alton and Penleigh in the ſame County; And the manor of Netherham, the 4th part of the manor of Exton, And the manor of Hamburell, and the hamlet of Berermell in the County of Somerſet.

Cart. 22. E. 3. m. 11.
Hillaĩ term. 1. H.
4 in banco. rot.
187. Glouc:

The ſecond of December in the 21th year hee purchafed of the king two fairs to bee holden at his Town of Newport near Berkeley, The one in the vigill the day and

and the morrow after the day of the Translation of S^t Thomas, And the other in the vigill the day and the morrow after S^t Maurice ; selecting out (as it may seeme) those two Saints days in an honorable memory of his own name and of his eldest son who succeeded him in his barony, whereof former mention is made amongst this lords forren imployments. |

vide fol : [379]

In the 22^d yeare hee held under the kinge the office of Justice in Eire of the kings forrests Chaces and parks on this side the river of Trent, with the fee of 100^{li} p añ, As for some time before hee had done.

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pat. 20. E. 3. ps.
2. dors :
liberat. 21. E. 3.
rot. fin: 21. E. 3.
dorfo.
Magn. chartul.
fol. 3. in castr
de Berkeley.
Com : pleas. 25.
E. 3.
Term : Trin. rot.
2. in cartis.

The same year, in the name of Cheltenham and Westyke his servants, hee purchased the manor of Woodmancote with the members, in Nibly and Came, of Robert de Swinburne, which hee so did to preserve the tenure which was antiently of him by knights service, as to this day it is.

carl in castr. de
Berk.

The same year, in the names of Befford Elham and Vey his servants, hee purchased the manor of Westonbirt in the County of Gloucester.

The tenth of January in the same 22^d yeare, hee purchased of the kinge a licence to alyen the Castle of Berkeley and the manors of Berkeley, Hame, Apple-ridge, Alkington, Hinton, Wotton, Simondfall, Came, Cowley, Slimbridge, and Upton S^t Leonards, and the hundred of Berkeley, and the views of franckepledge to the said manors appertaining, and the Advowsons of the Churches of Wotton and Slimbridge ; And accordingly by fine in Ester Terme in the 23^d yeare of that kinge, hee intayled the same with divers remainders over, As after followeth in the end of his life.

pat. 22. E. 3. pars.
3. m. 1. 11.
pat. 6. R. 2. pars.
2. m : 13.

fol.

finis in banco. 23.
E. 3.

And in like sort hee entayled by fine the manor of Portbury, in the 26th of that kinge ; In which said 22^d year the plague so generally raged over the whole Land, that neither Hillary nor Ester terms were that year held at all.

finis in coi banco
26. E. 3.

In the 24th year, hee purchased of S^t John de la River a messuage and Carucate of land in Cricklade in the County of Wilts.

carl in castr. de
Berk:

The same yeare hee purchased of Walter Naffe lord of Naffe, (but the deed hath no date,) all his lands and tenements in Came to himself for life, The remainder to Maurice his son begotten on Katharine his wife and the heires males of his body,

Carte in castro
de [Berkeley.]

The remainder to the heires males of the bodies of the said Thomas and Katherine with remainder to his right heires ; which is now the inheritance of John Trotman, called Nasse court.

Carl in castr. de
Berk.
pat. 25. E. 3. ps. 3.
m : 8.

In the 25th year hee purchafed of Jeffry Goffelin the manors of Shulden, Chippenham, Lollodon, and Westlond, and the hundreds of Chippenham, Bishopefton and Boulewe, in the County of Wilts, for his life and feaven yeares after.

carta in castr. de
Berkeley.

The fame year hee purchafed of Thomas fon of Henry Warren divers lands and tenements in Lidney, Tockenhale, and Nasse, on the other fide Seaverne againft Berkeley. |

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Carl in castr : de
Berk :
magn : chart. i. l. m.
fo : 294. 295.
fin : 25. E. 3. m. 2.
pat : 25. E. 3. ps. 2.
m. 14.

The fame yeare hee purchafed of the prior of Lanthoney divers lands in Cowley and other places adjoyning, at this day called Cancourt, To hold to himfelfe for life, the remainder to Maurice his fon, and the heires males of his body, &c., As hee before had fetled his manor of Cowley : for this purchafe hee gave the advowfon of Awre which the Prior the next year appropriated.

cartæ in castr de
Berkeley.

In the 26th year hee purchafed of John de Manners, divers lands in Tickenham to himfelf for life, Remainder to Edmond his fon and the heires males of his body, with remainder to the heirs males of him the said Thomas and Katharine his wife, &c.

Carl in castr de
Berk :

In the 27th year hee purchafed of S^r John de Acton divers lands in Chedder in the County of Somerfet.

Cartæ in castr
de Berkeley.

In the 29th year hee purchafed to himfelf and Katharine his wife and the heires males of their bodies, of Piers Chilworth, the manor of Tokington, for the quiet enjoying whereof againft S^r Nicholas Poyntz of Cory Mallet, they had from Piers a rent charge of 40^{li} p anⁿ out of Brodway and Ellworth : And after purchafed out the right and intereft of S^r Nicho^s Poyntz, with the Advowfon of the Chapple there, by deed without date.

Carl in castr
de Berkeley :

The fame year hee purchafed of Grimbald Pauncefoot the manor of Sokke in Somerfetshire, To hold to himfelf for life, the remainder to Edmond his fon and the heirs males of his body, The remainder to Maurice his brother and the heirs males of his body, The remainder to the heires males of the body of the said Thomas

Thomas and Katharine, (between whom Edmond and Thomas were,) The remainder to his own right heires.

In the 33^d yeare hee purchafed divers lands in Wixstowe at the woodend of Hill, part whereof are laid into Newparke.

Carŭ in caſt : de Berk :

The 35th year, wherein this lord dyed, I have referred to mention in generall or in groſſe many hundreds of purchaſes, which (each year ſome, in his whole life,) hee made, in buying within his ſeverall manors left him by his Anceſtors, thoſe perticular freeholds which their great error in that point had created, whereof I have made mention in the lives of Rob^t the 2^d Thomas y^e 1st Maurice the 2^d and Thomas the 2^d Againſt which the wholl life of this great lord and huſband was a continuall complaint ; And which againe I touch in the life of the lord Maurice this lords ſon. What other purchaſes this great rich lord and landmongre made I ſearched not to fee, having, to the glutting of my ſelf, found many more then could bee ſaid of any other Baron of his time, as formerly appears ; notwithstanding the multitude of evidences and | deeds which upon alienations and otherwiſe have been drawn out of the evidence houſe of this antient family, which I have not been enabled to fee.

ſols : [134, 187]

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His ſures in Lawe

Between this lord Thomas and John Berkeley of Dursley were many and long contentions, which drewe their originalls from a grant of *retorna brevium* and other liberties, which this lord obtained from the Crown in the 4th year of king Edward the third within his hundred of Berkeley ; In which year the ſaid John Berkeley prudently yet unneighbourly, takeing the advantage of the time upon this lords troubles, exhibites his petition in parliament, ſhewing that hee holds the man^{rs} of Dursley and Newton in the County of Glouc : of the king by knights ſervice in capite, And that this lord, being one of the guardians of the peace there, by his Seigniory and office hath often wrongfully diſtrayned him by his plow Cattle, And no deliverance will bee made of them by the Sherife nor by his Bayliffe or other miniſters, car il teñt a fes fees et a fes robes et de ſon menage, for that the Sherife Bayliffe and miniſters are all of his fee and livery of his houſhold : And ſo by his Seigniory and by Dures and by colour of a new purchaſe which of late hee hath made, and by aid and maintenance of S^t Roger de Mortimer late one of the kings Counſellors, to have return of writs and all other royall franchiſes within this hundred of Berkeley which before was gildable, would inroach to him the attendance and Seigniory of him the ſaid John to his diſinheriſon and to the damage of the king

petitio in parlam :
4. E. 3. n^o 101.

de returñ brevü.

king whereof hee now prays remedy in this high court of parliament. The answer hereto was That the rolls of the Chancery should bee viewed.

pat. 6 E. 3. pars 2.
in dorfo.

The next passage I find between these two angry neighbours, is two years after, the 11th of September in the 6th year of the said king, when upon the complaint of this lord a Comission is awarded to Enquire, That whereas Thomas Devish Bayliffe of this lords hundred of Berkeley, had according to the use of old, replevied the cattle of Robert le Webbe, which the said John Berkeley of Dursley had impounded, And had attached six oxen of the said John Berkeleys, to cause him to come and answer y^e said Webb in the said taking in his hundred Court of Berkeley, and being about to impound them : whether the said John Berkeley, Nicholas his son and
389 Richard brother of the said John, and six others, rescuffed | those six oxen, And took withall the goods of this lord Thomas to the value of fourty pound there found, And beat and wounded his said Bayliffe whereby for a long time hee lost his service, or not, And accordingly to determine the same.

brevia regis. 10.
E. 1. 3.
bundle in turre.
Lond.

About three years after, this John Berkeley by his petition exhibited against this lord Thomas, informs the said kinge, That within his manor of Dursley hee and his Ancestors, time out of mind of man, had used by his Baylyes to have within his manor of Dursley all manner of Somons, distresses, and Attachments, And that neither y^e Sherife of the County of Glouc : nor his baylyes, might enter into his said manor of Dursley in execution of any thing to his office appertaining, but in default of him and his baylyes ; whereupon the king, the 24th of Aprill in the ninth of his raigne, sends his comission to the Sherife of the said County requireing to bee certified by him of the truth of this petition ; who returns answer That since hee was Sherife hee had noe ways intermedled in that manor of Dursley, But that the Sherife that was next before him had directed his warrants to the baylyes of this lord Thomas, of his hundred of Berkeley, as hee himself hath also Still done since hee was Sherife ; But knows not by what warrant the said lord claimes to have somons, distresses, and attachments. **But** thus rested not this buisines ; for in the 13th of the said kinge, this lord Thomas brought his action against the said John de Berkeley, for rescuffing one Robert Leighton who stood indited of felony, and whom this lords bayly wou'd have brought unto his Castle of Berkeley and there have imprisoned him, untill from thence hee might have been conveyed to Gloucester goale, as hee and his Ancestors lords of the dominion of Berkeley, time out of mind, had accustomed to do. **The** defendant in person confesseth the action, whereupon this lord recovered fourty pound damage, which being tryed before Wilm Tracy and his
follow

Trin : 20. E. 3. rot.
72. in banco regis

Comp. rec. 20. E. 3.
in castro de Berk :

fellow Justices in the 13th of Edward the third, rested for seaven years, And now was execution taken out, and the fourty pounds leavyed, upon the occation of new futes arising between them, as the Receivours Accompts declares.

Because the land is longe since departed from this family, I omit the mentioninge of a tedious sute which this lord had against John ffraunces in the subburbs of Bristoll, which hee claimed as an Escheat for the felony of John Tavernor who had abjured the land ; wherein for Justice this lord petitioned the parliament.

claus : 14. E. 3.
dorfo.

In the 16th of this kinge, John Neell of Bristoll and others take away one hundred pounds worth of this lords goods at Bedminster under the kings protection as hee suggested, and beat and imprisoned his man Woodsend, then in defence thereof, whereby hee lost his service, contrary to the kings protection ; whereupon issued a Comission to hear and determine the fame : wherein I conceive hee sped the better because it was directed to John fitz Nicholl his next neighbour, and other of his approved friends.

pat : 16. E. 3.
pars : 2. in dorfo.
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In the 18th year hee profecuted a writ of Scire facias against Thomas Cooke in the County of Northton.

In the 23^d year of Edward the third, John son of Odo de Acton Esq^r brought an Affize of novell disseisin against this lord and others, for lands in Kingston by Slimbridge.

pat. 22. E. 3. ps.
2. dorfo.
pat. 23. E. 3. ps.
1. dorfo.
pat. 29. E. 3. ps.
2. dorfo.
See fol :

His Almes and devotions with pensions and rewards to his servants and others

This lord in the first of king Edward the third, (the first also of his restitution, as hath been said,) gives to Witm de Stinchcomb an hopefull Scholler, five pounds a year for his better maintenance untill hee shall be promoted to a benefice of twenty pounds a yeare.

magn. chartul.
fo. 29. in castr. de
Berkeley.

In the 4th year of that king, hee granteth to Walter de Combe and the heires of his body, a place of land called the Church hay containing twenty pearches at Wortly, to build a chapple upon, in honor of S^t John Baptist, paying one peny rent ; for which hee faithfully promised, that all the Chaplens there celebrating should for ever have the said lord Tho^s and his heires in memory, in life and death, in all the masses and orisons said in that chapple.

cartæ Indenī in
castro de Berkeley.

In the fame year this lord for the health of his soule and of Margaret his wife, and of his heires and anteecessors, and of all the faithfull departed, confirmeth to y^e

Carl in castr. de
Berk :

Abbot

Carĩ in castr. de Berk : Abbot of S^t Auguſtines all the guiſts and grants of his Anceſtors, reciting herein the deeds made by his father and grandfather to the ſaid Abbot : and in the 11th year granteth more to the ſaid Abbot, all ſuch Eſtrays and Cumelings¹ as by the Baylyes of the ſaid lord ſhould bee taken or found, upon the Abbots demefnes, within his hundred of Berk^y.

Carĩ cum Willo Hanis de Hurſt. See fol. 391 The ſame year hee gave to S^t Richard Rivers knight and to Sara his wife and to his heires, Comon of paſture upon Slimbridge Warth for all their ſheep levant and couchant upon their lands and tenements in | Kingſton, Goſſington, Slimbridge, and Hurſt, all times of the year, wthout any thing to bee paid in name of Agiſtment or any other ways : which beare the name of Rivers lands to this day, and accordingly enjoy this privilege of tack free.

Carta in caſtro de Berkeley. In the 9th year this lord releaſeth to the pryors of Barewe and the Nunns there, the finding of a ſheepfold of . 160. ſheep upon his land in Barewe, whereto they ſtood bound ; In recompence whereof they grant to keep the Aniverſary day of the lord Maurice this lords father, the laſt of May, And the Aniverſary day of the lady Eve his mother the 5th of December, yearly, And likewise the Aniverſary dayes of himſelfe and of Margaret his wife after they are departed this life, And to diſtribute 26^s. 6^d on the feveral days of their Aniverſaries for pittance to the Covent of that place, And that the chaplen celebrating theſe Aniverſaries ſhall have as large a pittance on thoſe days as any of the Nunns.

Comp : miniſtroř. in caſtr : de Berkeley. In the ſame year, (as hee accuſtomably did in others,) when the houſes of the fryers Carmelites, and other orders of fryars in Briſtoll and Glouc. were taxed to pay any fifteenth or other duty to the king, this lord ſent to them either all or moſt part of the money in eaſe thereof.

Carĩ in caſtr. de Berk. In the 11th year hee granted a rent charge of 16^s by the year for ever iſſuing out of his manor of Over to the chantry preiſt ſinging maſſe in the chappell of Over.

cartæ in caſtro de Berkeley. The 24th of June the ſame 11th year, hee gave certaine lands in Portbury to the vicar of that Church for ever, to celebrate the Aniverſary day of the lady Eve his mother on S^t Nicholas day, by devoutly ſaying a placebo and a dirige with a maſſe, And giving to the two chaplens there if they bee preſent at the ſolemnity thereof—

2^d a

¹ Comelinges—newcomers, ſtrangers.

For they have *cumulyngys* yn and oute,

Of ſwyche ſhulde men have grete doute.—Harl. MS. 1701. fo. 15. See Halliwell. [E.D.]

2^d a peece, And . 2^d to the ringers, And 12^d to the poore ; And for the Aniverfary of Margaret his wife deceafed the fifth of May laft, And his own Aniverfary, when hee fhall depart this life, in manner as is before expreffed for the lady Eve : And yearly giving fome portion of money to S^t Johns Jerufalem, And to the Churches of Wells and Bath, being the mother Churches of thofe weftern places.

The fame yeare hee gave to the Chaplen—30^s by the yeare out of his man^r of Bedminfter, and a meffuage in Bristoll, to fing in the Abby Church of S^t Auguftines, for the foule of Margaret his wife deceafed, and of his own foule when hee dyes, and of all faithfull people departed.

cartæ in caftro
de Berkeley.
pat. 11. E. 3. pars.
2. m : 3.

The fame yeare hee gave a meffuage and fifty acres of land, and fourty fhillings rent, in Portbury, to a prieft to fing in our ladies Chapple there, for the fouls of all his Anceftors, of himfelf and his fucceffors and of all faithfull people. |

pat. 11. E. 3. pars.
1. m : 31.

And the fame year gave land to Wiſſm Godwin, vicar of the Church of Portbury, To hold fundendo præces pro animabus dominæ Evæ matris meæ, Margarette quendam vxoris meæ, et mei, to pray for the foules of the lady Eve his mother, Margaret fometime his wife, and of himfelf.

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cartæ in caſtr. de
Berkeley.

In the 12th and other years, hee did of courſe diftribute yearly, five quarters of beans amongſt divers poore bondmen of his own in Almes.

Comp : 11. et. 12.
E. 3 et at. in caſtr.
de Berkeley.

In the 17th year of the ſaid king, hee founded a Chantry in the Chapple of S^t Maurice in Newport by Berkeley, endowing it with divers Meffuages lands and rents in Berkeley, Wotton, Alkington and Hull ; The preſentation of the prieft whereunto, was limited to Wiſſm de Syde parſon of Awre a ſpetiall officer of this lords, for life, and after to this lord Thomas and his heires : And by his charter of foundation appointed what kind of maſſe and prayers ſhould bee ſaid and funge upon uſuall dayes, ordinary holidays, and ſpetiall festivalls, in ſoe devout and holy a manner, That unleſſe hee had been a ſchollar to John Wickleeſe, (who now lived,) hee could not have come nearer to the doctrine of theſe preſent days in the Church of England, forbidding this his prieft to take any money of any, or to bee ſervant or chaplen to any but God only in ſpiritualities, And to himſelf in honeſt and neceſſary temporalities ; And that hee ſhould live chaſtly and honeſtly, and not come to Marketts, Alehouſes, or Tavernes, neither ſhould frequent plays or unlawfull games ; In a word hee made this his prieft by theſe ordinances, to bee one of thoſe honeſt men whom wee miſtake and call puritanes in theſe our days : which Wolſton biſhop of Worceſter by his Episcopall authority confirmed.

cartæ in caſtro
de Berkeley.

The

carta in castr. de Berk : **The** like Chantry the same year this lord erected in his manor of Side, endowing it with the like competency of maintenance for the preist, and with ordinances for his conversation in each respect as before.

cart in castro de Berk : **The** like chantry the same yeare hee erected in the chapple of Wortly in the parish of Wotton, and endowed it with like possessions for maintenance of the preist, And with like ordinances for his honesty and conversation as before.

carta in castr. de Berk : **The** like chantry was the same year by him founded in the Chapple of Cambridge in the parish of Slimbridge, And endowed it with like possessions for maintenance of the preist, and with the like ordinances : For all which Chantrys hee procured both y^e kings licences, & y^e Bishops confirmacions. |

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Cart in castro de Berk : **In** the foresaid 11th year this lord gave to Atwell chaplen to our blessed lady the virgin in the church of Berkeley and to his successors, two messuages and divers lands in Hame, To the end they should on the day of Petronilla the virgin, hold the Aniverfary of the lord Maurice his father in Berkeley Church, And on the same day distribute for his soule . 12^d vizt, for knolling the bell . 1^d for oblation at the masse . 1^d And to ten Chaplens in the same Church ten pence, if they bee present at the placebo and dirige and at the masse ; And for soe many of them as bee then absent, to give their pence apeece to the poore ; **And** after the same manner shall do yearly for the soule of Margaret his late wife, on the fifth of May yearly, And so also for his own soule the day that hee shall goe the way of all flesh. **And** further that the said Chaplen and his successors shall for ever have in their memento the soules of the said lord Maurice, and of the lady Margaret, and his owne ; And upon every day after their masse, shall say one de profundis for the said soules, and all soules departed : Of which if any fayler bee in performance, hee and his heires to distraine the lands now given, and retaine the distresse till all these devotions bee performed.

Carta in castro de Berkeley. claus : 19. E. 3. m. 28. in dorso. **In** the 19th year this lord erected the like chantry in the Chapple of St Katharine of Katharine Pulle near Bristoll, And endowed it with divers messuages and lands in Portbury, Elton, and Bedminster ; for which hee procured the kings licence dated the 6th of february that yeare.

carta in castro de Berkeley. claus : 19. E. 3. m. 26. in dorso. **In** the same year hee erected another Chantry in the Church of his man^r of Over, endowing it with a messuage and two yard land there, to singe for the soules of himselfe and of Margaret his late wife, and all faithfull people departed, for which hee also procured the kings licence dated the 12th of March that yeare.

In

In the Twentieth yeare of the said king, this lord gave to the prior and fryars heremites of Bristoll, divers lands in the suburbs of Bristoll.

Cartā in castro. de Berk :

The same year hee purchafed of the Abbot of S^t Auguſtines a place within his monastery for a Chaplen of his own to dwell in, to pray daily for the ſoules of all faithfull people departed ; which hee incloſed with a wall, And endowed the Chaplen and his ſucceſſors with a competent maintenance in lands.

Carta in caſtro de Berkeley.

In the 21th year this lord erected an heremitage in Bedminſter, And therein | placed one John Sparkes an heremite, to pray for him and his during his life.

carta in caſtro: de Berkel :
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And the ſame year hee gave to the Cuſtos of S^t Katharine's of Bedminſtre a parcell of land near to his ſaid hoſpitall, for which hee bound himſelf and his ſucceſſors to pour out their prayers for the ſouls of his father and mother, and of Margaret his late wife.

carta in caſtr de. Berk :

In the 22^d year this lord founded an other Chantry in the Abbathy of S^t Auguſtines, and endowed the Chaplen with divers lands and houſes in Bristoll for his plentifull maintenance, there to ſing for the ſoule of Margaret his late wife, and of himſelf when hee dyeth, the placebo and dirige with the comendation ; And to ſay for himſelf whiſt hee lived, the collect dominus qui caritatis dona cōm ſecret, et poſt cōm pertiñ : And after his death the collect of dominus cui proprium eſt miſereri, cōm ſecret et cōm pertineñ : And the morrow after their Anniverſary days ſhall fully ſinge the office of the dead with a maſſe ; eſtabliſhing like orders as before hee had done in his Chantry of Newport, ordaining herein further, That the Chaplen ſhould at his admiſſion take oath to obſerve thoſe ordinances as farr as the frailty of humane condiçōn will permit, which the Biſhop of Worceſter confirmed, under a curſe.

carta in caſtro de Berk :
pat. 22. E. 3. ps. 1.
m : 10.

On palmſunday in the 23^d yeare of the ſaid kinge, this lord meekly offered to our bleſſed lady in Berkeley Church a pound of virgin wax, pro candela caritatis, as a light of charity ; And a buſhell of fine wheat, pro pane benediçto, to make holy bread ; And this was annually continued to after generations by this and other lord Berkeleys ſucceeding.

comp : de Ham. 23. E. 3. in. caſtr. de Berk. et in annis ſubſequēñ.

In the 24th year or near thereto hee founded a like Chantry to the former, in the great Church of Worceſter, endowing it with maintenance as aforeſaid, and with like ordinances.

Regiſtr Wigorū cum Epō : iñm.

comp. de Ham. 48.
E. 3. in cast. de
Berk.
Regist. Wigorn.

In the 25th year this lord gave divers lands to the Chantry of Shepperdine, by Hill, in the confines of this hundred of Berkeley, for the better maintenance of the preist singing there, whereto hee and his posterity afterwards presented as founders.

divers : comp̃i in
castro de Berkeley.
38. E. 3. et aī.

In the 26th year, out of his landgable¹ rents of Bristoll, hee gave yearly—
3ⁱⁱ 6^s 8^d to a preist, to singe for the soule of the lady Margaret his late wife in S^t Augustines Church by Bristoll.

comp. predict.

And the like rent yearly hee gave out of the same to another preist to singe for her soule in the monastery of Keinsham.

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comp. Recept̃ in
diūis annis in
castr. de Berk.

This lord used also certaine generall works of mercy and bounty ; As | to contribute to the Abbots charges of S^t Augustines, Kingfwood, and divers others, and to the fryars minors of Bristoll, Glouc. and other orders, when they went to the generall Chapter of their wholl order, sometime holden at Lincolne, Salisbury and other remoter places.

Trevisa in poli-
chro. libro. 5.
cap : 32.

Many other of severall kinds were the pious works of this noble lord, as fundry short entreyes in the Accompts of his receivours and other his household officers do point to his posterity, here altogether by mee unremembred, because I discerne them but in the twilight, longe after the setting of his sunn, and not at noone-tide in the cleernes of his day, as these before mentioned. **And** pardon mee, Oh my god, in my overflowing affection to this lord Thomas, If I break out in prayer before thee, to remember the dust of this thy honorable servant, resting in Berkeley Church, in the travells and pious ways wherein hee walked ; And forget not (lord) thy doctrine taught him by thy learned servant his Chaplen, John Trevisa, vicar of the fame Church, whose bones rest there alsoe ; That though his Ancestors guifts to Abbyes in old time, and some of his own, bee more wasted in gluttony pride and outrage of the owners, then in sustenance and need of men and guests, yet the givers shall not lose their mede, for their will and intent is weyed in thy ballance, and their good deeds shall follow them, with the reward of glory and immortality. **And** thou lord that knowest whereof wee are made, and that wee are but dust, And that by the instinct of that nature wherein thou hast created us, wee are more pronely led by our own Ancestors examples, grant that the lord George now wearing the honor of this Ancest^r may bee led by his example to beare like fruite to this noble lord, whom now I leave at rest, expecting a Joyfull resurrection, out of thine own
assurance,

¹ A Quit-rent, or Ground-rent. [E.D.]

affurance, That blessed are the dead which dye in their Lord, for they rest from their labours, and their works follow them.

His miscellanies or various passages not aptly reduceable under the former titles

In the first year of kinge Edward the third and also of this lords Barony, hee sent a dish of pears from Berkeley to Ludlowe, to his mother | in lawe the lady Mortimer, in novitate fructus, for the rarity of the fruite, faith his Receivours Accompts; And I will vainly say, out of my fruterers humour, That to know that fruite I would twice on foot travell to Ludlowe.

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comp. 1. E. 3. in castro de Berkeley.

The third of July the same year, the king, (as the writ imports,) willing to doe this lord a pleasure, dischargeth him from his service with his Army into Scotland, which hee was by the tenure of his barony to have done, And renders the reason, because hee is intending other buisnes of his whereof hee hath charge; which, (If I may bee allowed to explaine a kings secreet,) was to looke to his father king Edward the second, secretly brought to his Castle of Berkeley the 5th of Aprill before.

pat. 1. E. 3. ps. 2. m. 11.

William de la Marchia late Bishop of Bath and Wells was to bee canonized for a Saint, as the kings tres desired, written to the Pope and all his Cardinalls; To this Saint this lord Berkeley was Executor, a buisnes that spent more of his time than two martiall expeditions into Scotland usually did.

Rot. Romæ. 3. E. 3. m. 5.

In the second of Edward the third, this lord sent a porpois taken in his ffishing in Seavern to the Queen mother for a token, then at Worcester; Of which River and her fishes, read at large in my description of the hundred of Berkeley.

comp. re. 2. E. 3. in castro de Berkeley.

Havinge paid the kinge. 500^{li} for the wardship of Robert son and heir of Robert de Clifford, hee was found by office to bee of full age at the death of his father, And therefore could not enjoy the benefit of his grant; whereupon the kinge, (faith the record,) unwilling to offer him injuriam or duriciam, wrong or hard measure, comands his Treasuror by his writ of privy seale dated the 15th of May in the second year of his raigne, to make him repaym^t but it came not to his purfe in fower yeares after.

Claus. 2. E. 3. m. 26.

The 13th of May the same year, the king pardons to this lord the purchases which Maurice his father made without licence, of a Messuage and two Carucates

pat. 2. E. 3. ps. 1. m. 4.

of land in Upton by Glouc., of Germanus de Tunbridge; And of a Meffuage and yard land in Ashton in Somerfetshire, bought by him of John Coferer; And of the moytie of the manor of Awre, and of the hundred of Blediflowe, and of the moytie of the Advowson of the Church of Awre, of Adomerus de Valentia Earle of Pembroke; And the purchase which this lord himself had made of the other moytie of the | faid manor hundred and Advowson of Awre, of Roger de mortuo mari, w^{ch} were all holden in Capite.

pat. 4. E. 3. pars.
2. m: 28.

The 18th of October in the 4th of Edward the third, the king, (then at Nottingham,) grants licence to this lord to let for lives or years any of his lands in his manors of Berkeley, Hame, Came, Cowley, Slimbridge, Hurst, Alkington, Hinton, Awre, Wotton, Simondfall, Beverston and Upton by Glouc: in the County of Gloucester; And in Portbury and Ashton Lions in the County of Somerset; All which (faith this record) are holden of the King in Capite; And his Tenants foe takinge, to hold them without the impeachment of his Escheator or other his officers.

pat. 7. E. 3. pars.
2. m: 28.

And the first of July in the 7th of his raigne, gives this lord leave to cut down certaine oakes to the value of forty pounds, within his manor of Bedminster, being within the kings Chace of fillwood near Bristol; And to dispose of them at his pleasure.

Rot. fin. 10. E. 3.
m. 2.

claus: 12. E. 3.
pars. 2. m: 15.

The 22^d of December in the Tenth of that kinge, the king for one thousand marks grants to this lord, the mariage of the heire of John de la Ware, with the profits of his lands, untill the full age of the heire, And foe from heire to heire untill, &c; In the margent of which roll is this memorandum That the 30th of August in the 12th of the king, these tres patents were deliver'd up and cancelled, becaufe the faid John de la Ware at the time of this grant was livinge, and so still is, and in health: A second error by this lord comitted in buying of Wardships:

Rot. parliam. 14.
E. 3.

In the 14th year of the faid kinge, this lord was one of those twenty y^t were by parliament assigned, out of the ability of their estates, to undertake to pay to the king then in ffraunce, the Ayd then granted to him, sooner then otherwise it might conveniently bee leaved in England.

Rot. parl: 15. E. 3.
n^o 7. 8.

And in the year following was at the parliament one of the Tryers of petitions, what time many were exhibited by the Clergy nobles and Comanalty concerning their Antient liberties.

¶

Many were the employments of this lord in civill affaires for the government and quiet of the Country, which most years hee underwent in diverse Counties, As in the Counties of Glouc., Somersfet, Dorset, Wilts, Hereford, Southampton and others; Some of the principall whereof are witnessed by these records, being all in spetiall matters and not in the ordinary comissions of the peace: Pat: 2. E. 3. pars. 1. in dorfo bis: et eodē. pars. 2: dorfo: / pat: 3. E. 3. pars. 1. in dorfo bis: pat 6. E. 3. pars. 2. in dorfo: / pat. 8. E. 3. pars. 1. in dorfo. / pat. 15. E. 3. pars. 2. | in dorfo: / pat. 16. E. 3. pars. 1. in dorfo: / fines. 19. E. 3. m. 5: / pat. 22. E. 3. pars. 3. in dorfo: / pat. 24. E. 3. pars. 2. in dorfo: / pat. 25. E. 3. pars. 1. in dorfo. 398

That this lord was fitted tam marti quam mercurio, both a great foldier and a great husband, let, (besides what hath been said,) his improvments made in many of his manors declare: for in the third of Edw^d the third hee tooke in and held in severalty divers parcells of Slimbridge Warth; which hee so well relished, That in the tenth of Edward the third hee inclosed twenty acres more, which being then let to one Clifford was called Cliffords mead, and now Katherine Cookes leyes; And shortly after inclosed fifty four acres more of the same Warth then called new close, now new leyes; At which time and for some years after they yealded but 6^d the acre, now at this day worth twenty shillings the acre; whereof read under the title of his purchases more at large. comp: de Slimbridge 3. et 10. E. 3. in castr. de Berkeley. carta in castro de Berk. 9. E. 3. fol [384]

In contriving of exchanges both for land and tenure, to draw thereby scattered parcells together, this lord went beyond the best of his Ancestors, as many instruments of lands within his manors of Alkington, Wotton, Came, Slimbridge, and others, declare; soe well fitted with pithy words and substance as I know not whither to repaire for the like presidents: A profitable and harmlesse husbandry: In all which, Willm de Syde his great officer parson of Awre, was his spetiall agent. pat. in turre. 17. 18. E. 3. et diverse al. in castr. de Berkeley.

Hee often held in one year fower Leets or views of frankpledge in Berkeley Burrough, wherefrom, imposeing .4^d and .6^d upon a brewing of Ale, and renting out the Toll or profit of the wharfage and markett there to the Maior of the Town, hee drew yearly from that art much more then the rent of the burrowe: **I**n the 13th of Edward the third, 284. tollcesters, which I call brewings, yealded unto him by the Catchpolls Accompt—8^{li} 6^s, which now yeild nothinge. Comp: burgi de Berk: 13. E. 3. et al.

In the 7th of Edward the third, an agreement was between the Abbot of S^t Auguſtines and this lord made for the entercomoning of their tenants of Portbury, Leigh, and Ashton, and for their mutuall incloseings and holding other parts in severalty free from Comon. carta. 7. E. 3. in castr. de Berkeley. **I**n

pat. 18. E. 3. pars.
1. m : 45.

399

In the 18th of Edward the third passed a small exchange of land between this lord and the pryor of St. John Jerusalem, where for . 21^s rent of | land in Bristoll, which the pryor conveyed to him, this lord conveyed to the pryor fower acres adjoining to the mansion house of the said pryor, which upon observation I certainly conceive to be the very ground where St. Michael Stanhope dwelt and dyed, extended to the gate of the priory, and now the inheritance of the lady Elizabeth his daughter, wife of George now lord Berkeley Anno . 1624.

Inq : 19. E. 3. in
castro de Berkeley.

In the 19th of Edward the third, the king directed forth his Commissions to this lord and others, to enquire by oath what each mans estate in lands was in the County of Glouc : and Bristoll, from five pound to one thousand pound ; which this lord was not more slowe in executing then in returninge those Inquisitions ; for some of them remaine under the seals of the Jurors of Berkeley Castle to this day ; wisely foreseeing how dangerous such presidents might prove both to the present and succeeding ages : Neither have I observed the records remaining, to warrant those proceedings, whereupon I conceive they were after disallowed by king and state, as being against the lawe and native liberty of the Subject.

liberat. 21. E. 3.
fin. 22. E. 3. m : 29.

This lord, in the 21th of Edward the third, was made Justice in Eire of all the kings fforrests Chaces and parks on this side Trent, which is already touched.

Comp. de Slim-
bridge 24. E. 3. et
diverse al: in castro
de Berkeley.

carta in castro
de Berkeley.

This lord, in rewarding the merrits of his cheifest officers whose services hee most employed, used an heroick liberality, wherein the instance of Wilm de Cheltenham may serve, on whom hee conferred 10^{li}. 16^s. 4^d. fee for his life, And the present rent of his lands in Arlingham, which was much more ; And the Wardship of the heire of John Berkeley of Wike by Arlingham, with the profit of that manor alsoe duringe his minority : And the manor of Pyriton and little Marshfeild, which I cannot estimate at lesse then . 250^{li} p añ : The like liberality hee reached to Wilm de Syde his Receivour, parson of Awre, whom I hold for the honestest man : for no sooner was hee dead but seaventeen petitions were preferred to this lord against him, which yet remaine in parchment in Berkeley Castle ; And as I have observed of this lords bounty used to these two, so might I divers others, as Vey, Goldmere, and others.

Comp: rec: 16. et.
20. E. 3. in castro
de Berkeley.

400

Of this lords other liberalities, the Accompt of his Receivour in the 20th of Edward the third, (the middle year almost of his Barony,) shall suffice | to informe, (many others yet remaining declaring the like;) **A**s how to John fitz Nicholl, a gentleman

gentleman his Neighbour, towards the mariage of Margaret his daughter hee gave ten pound : To Acton and Clivedon two of his servants that contended in a title of land, the better to compose their controversy, hee gave twenty pound ; To the pryor-esse of Betlond hee gave fourty shillings, Towards the amending the high ways by Knubbyefashes near Berkeley—13^s 4^d. To the Abbot of S^t Auguſtines—5^{li}. To S^t John Tracy and others of his household knights, for their good service whilst they were with him in the Scottiſh warrs, ten pounds apeece ; In which year alſo hee clothed one and thirty poore people from head to foot &c, with many the like here omitted appearing in that accompt, and in many others of other years.

In the later days of this lord Thomas flouriſhed John Treviſa, a gent^l of an antient family bearing gules, a garbe, or, born at Crocadon in Cornwall, a ſecular preiſt and vicar of Berkeley ; who tranſlated the bible, Polichronicon of Raph Higeden atſ Raynulphe monke of Cheſter, Bartholomewe of the proprieties of things, and divers other treatiſes all into Engliſh, dedicating the two firſt to this lord, and the reſt to this lords ſon and grandchild, as in their lives appear : **I**n a dialogue (wherein hee makes this lord and himſelf the ſpeakers) in his polichronicon, hee argueth the profit ariſinge by hiſtories, and the neceſſity of tranſlations into the Engliſh tongue : In urging whereof hee bringeth in this lord Thomas inſtancing his own Chapple in Berkeley Caſtle, wherein the Apocalips (faith hee) is written on the walls and rooſe in latin and french : which in this year . 1622 . ſo yet remaineth, ſomewhat, but not much, defaced.¹ **Theſe** books of Polichronicon grow ſomewhat rare, which if againe they ſhould bee printed, (as not unlike,) would either looſe their original epiſtle, or have Treviſa his old phraſe and Ideome of y^e time, altered ; which to prevent, ſhall here follow in Treviſaes own words.

Survey of Cornwall
fol : 114.
Hollingh: fo. 509.
Polichron : fo. 2.
Balæus de ſcriptoſ.
Angl. cent : 7^o
n^o 18.

The Epiſtle of mee S^t John Treviſa Chapelain unto lord Thomas of Berkeley upon the tranſlation of Polichronicon into our Engliſh tongue.

Wealth and worſhip To my worthy and worſhipfull lord, S^t Thomas lord of Berkeley ; I John Treviſa your preeſt and bedeman, obedient and boxom to worke your will, holde in herte, thenke in|thought, and meen in mynde, your needfull 401
meninge and ſpeech That yee ſpake and ſaid, that you would have Engliſh tranſlation of Ranulphus of Cheſters books of Cronikes, Therefore I will fond to take that

¹ Some portion of theſe inſcriptions yet remain in the Chapel of Berkeley Caſtle, and have been reproduced in facſimile by Mr. J. H. COOKE, F.S.A., in Vol. I., p. 138, *Tranſactions of the Briſtol and Glouceſterſhire Archaeological Society*. [Ed.]

that travell, and make English translation of the same bookes, as God granteth mee grace; for blame of backbiters will I not blin, for envy of enemyes, for evill spitinge and speech of evill speakers, will I not leave to doe this deed; for travell will I not spare comfort I have in medefull making and plesinge to God, and in knowing that I wote that it is your will; for to make this translation clere and plaine to be known and understandyn, I some place I shall set word for word, and actiffe for actiffe, and passife for passife, arowe righ as it standeth wthout changinge the order of words, And set actife for passife, and ayenward; And in some places I must set a reson for a word, and tell what it meaneth: But for all such changing, the meaning shall stand and not be changed; but some words and names of Cuntries, of londs, of Cities, of waters, of rivers, of mountaynes and hills, of persons and of places, must be set and stand for himself in her own kinde; as Asia, Europia, Africa, and Siria, mount Athlus, Sina and Oreb, Marach and Jurdan, and Arnon, Bethlem, Narrareth, Jerusaleme, and Damascus, Hanibal, Rafin, Afuerus, and Cirus, and many such words and names: If any man make of these bookes of Conyckes a better English translation and more profitable, God do him mede; And because you make me doe this medefull need, hee that quitteth all good deeds quite your mede in the blisse of hevyn, in welthe and likinge with all the holy Saints of mankind, and the nyne orders of Angellis, as Angells, Arkangells, principatus, potestates, virtutes, dominationes, trones, cherubim and seraphim, to see God in his blissefull face in joy without any end, Amen.

liber: vlt: fo. 389.
but fol: 316. in
another translation

And in the end of his said translation, hee concludeth thus: God bee thanked for all his deeds, This translation is ended on thursday the 18th of Aprill. 1357. the 31th year of king Edward the third, the year of my lords age S^t Thomas lord Berkeley that made mee make this translation, the—65th.

misprinted. 35.
for: 65.

Baleus descriptoꝝ.
Angl: centur. 7.
nº 18.

But Bale delivers the learned labors of this Trevifa more largely thus; Johannes Trevifa genere et patria &c. John Trevifa, a gentleman of Cornwall, was a preist and vicar of Berkeley, a man famous for learning and eloquence, who espetially above others laboured to adorne the English | tongue, and to remove the old harshnes thereof, whereby hee became very deere unto many of the nobles of the land, but espetially to his excellent lord Thomas of Berkeley: And amongst other studies which much delight the minds of men, histories and antiquities best pleased him, as from whence the best Councells and examples of life might bee drawn: wherein whilst hee studioufly labored, hee sometimes shewed himself harsh and biting towards monks and their profession, taxing their pride, riot and hypocrisy;

hypocrisy ; As where hee faith, wee read that Christ instituted Apostles and preists, but never ordained monkes or begging fryars, with many other the like taunts.

Into the English tongue hee likewise, at the request of his said lord Berkeley, (faith Bale,) translated the wholl bible, as well as the old as new Testament, and many other works, which Bale there rehearfeth in particuler ; And continued his polichronicon, (faith Bale,) unto the year of Christ, 1397. being the 21th of king Richard the second ; till when and fomewhat after, himselfe florished. More of this learned and vertuous Chaplen Trevisa after followeth in the lives of Maurice the fourth, and of Thomas the fourth, son and grandchild to this lord.

Baleus predic̃.

His Wives

The first wife of this lord was Margaret, to whom hee was maryed in the 13th of king Edward the second, in the life of the lord Thomas his grandfather, as formerly hath been said ; by whom hee had issue, Maurice, Roger, Thomas, Alphonsus, and Ione, of each of whom as followeth ; And dyed the fifth of May . 1337 . in the 11th of that king, shee then under thirty years of age ; And, (as Abbot Newland hath,) was worshipfully buried in the Church of S^t Augus|tines monastery, in the great tombe under the Arch between the elder Chapple of our lady and the north Isle there ; whose Aniversary day was yearly solemnized in Portbury Church in honor of her memory by the endowment of her husband, and in many other places, as formerly is written. **T**his lady Margaret was daughter of Roger Mortimer lord of Wigmore, (created Earle of March,) and of the lady Jone his wife daughter and heire of S^t Peter Genevill, son of Edmo^d Mortimer and the lady Margaret ffendles his wife, son of Roger, son of Ralph lord Mortimer of Wigmore and the lady Gladis his wife, sister and heire of David prince of North-Wales, children of Lhewelyn ap Jorwerth the superior prince of all wales, right heir of memorable Cadwalader the last king of the Britains . viz^t the son of Jorwerth, the son of Owen Gwyneth, the son of Gruffyth, the son of Conan, the son of Iago, the son of Edwall, the son of Meiric, the son of Edwall voell, the son of Anarawd, the son of Roderi Mawr, the son of Efylht, the daughter and sole heir of Conan Tyndathwy, the son of Roderike Molwynoc, the son of Edwall Ywrch, the son of the said Cadwalader the last king of the Britains ; whom the Saxons fury about the year of Christs incarnation . 658 . drave into a corner of the kingdome called wales, where the former princes ruled and raigned ; which said pedigree is approved by many writers without contradiction of any.

fol : [353]

carĩ in castr̃ de
Berk :
Newl : pedg. in
castro de Berkeley.

403

Powell. fo : 315.
316.

Powell : 315
Galf. monm : et
divers at.

The dowry which this lady Margaret brought to her husband in land and money is already mentioned.

vetvs rotul. in
cast : de Berkeley.
comp. de Ham. 21.
E. 3. in castro de
Ber :
foundac. lib. scholæ
de Wotton cū
Epo Worcester :
claus : 17. E. 3.
pars. 1. m. 8.
Escaet. in turre
9. R. 2. in ijsdē
Com.

404

After the death of which Margaret, this lord lived a widower ten years one month and twenty six days, And then on teufday the third of y^e Calends of June in the year. 1347. in the 21th year of kinge Edward the third, being S^t Peters day, tooke to wife at Charfeild fower miles from Berkeley, where shee then dwelt, Katharine the widow of S^t Peter le Veell knight, and daughter of S^t John Clyvedon knight and of the lady Emme his wife, who there had lived a widow fower years before. **S**hee was fruitfull to her husband both in lands and children. **I**n lands shee brought with her the manors of Charfeild, Tortworth, Huntingford, and Veelham ats Hamveell, and some others in the County of Gloucester ; And divers lands in Clyvelode in the County of Worcester, And the manor of Plympton in the |
County of Devon, And the manors of Ablington, Alton, and Penleigh, and divers lands and tenements in Chelworth and Colcole in the Co^{un}ty of Wilts, And the manors of Netherhame, Hamburell, the hamlet of Berermell, and the fourth part of the manor of Exton in the County of Somersfet, and some others.

comp. ballivi. 38.
E. 3. in castro de
Berk.

Of which shee held in fee the manors and lands in the Counties of Somersfet and Worcester, and the lands in Chelworth and Colcole in Wiltes, by the severall conveyances of S^t Peter Veel her husband, which came to John Moýgne son of Jone daughter of the said S^t Peter Veel and Katharine : The residue shee held for her life from her said husband and his father : And the Accompt of Richard Lidney bayly of Portbury hundred in the 38th of Edward the third, will enforce beleife That shee also held the manor of Chedder in Somersfetshire, for which shee underwent a tryall at the Assizes there that year.

In children shee was as fruitfull, for in lesse then five years after this her second marriage, shee brought to this lord four sons, Thomas, Maurice, Edmond and John, as after followeth.

Eschaet. 9. R. 2.
pat. 37. E. 3. pars :
1. m. 17.
August. ped : in
castr. de Berkeley.
fines. 9. R. 2. m.
4. 5.
orig. in scio.
9. R. 2. rot. 3. et. 5.

This lady Katharine survived also this lord her second husband twenty fower years and upwards, And in the second year after his death, out of devotion, went beyond seas a Journey in pilgrimage upon the kings licence for a years absence, but whither, the record speaketh not ; And dyed the thirteenth of March Anno. 1385. in the ninth year of kinge Richard the second, and lyeth buried in the parish Church of Berkeley, with her husband, in a faire monument grated round with iron barrs, under the second Arch before the rode on the fouth side of that Church.

Shee

Shee held also for her life by the conveyances of this lord her second husband, the Manors of Beverston, Tockington, Over, Compton-Greenfeild, and kings-weston, in the County of Gloucester, which with others came after her death to her son and heir S^t John Berkeley, as after followeth: And also the manors of Wotton Burrow, Wotton fforren, Symondfall, and Came, in the said County, And the third parts of the hundred of Berkeley and of Bedminster in Somersethshire, w^{ch} later came after her death to Thomas lord Berkeley her husbands grandchild. |

Shee was also a lady rich in many good works, And amongst others shee founded the free schoole and Chantry in Wotton under edge, And also S^t Andrews Chantry in Berkeley Church, in the two last yeares of her life; And whilst shee lived gave to the Abby of Kingfwood an yearly pention of six markes, And when shee dyed many rich guifts, And endowed them with fair possessions of her own purchase which were confirmed by her said husbands grandchild, as the deeds doe shew; And by her will left her son S^t John Berkeley, Henry Waryner, and Willelm Smallcombe, her Executors: Of her I shall speake more in writing of the issue proceeding from this lord and her, w^{ch} now follow in order.

405

pat: 7. R. 2. pars.
2. m: 2.Regist: monast
de kingfwood in
castro de Berkeley.
carta in castro
de Berkeley.
Eschaet. in turre
9. R. 2. post mort
dicti Katharine.

His issue by his first wife

1. **Of** Maurice who hath the prerogative of primogeniture, I after write as lord, the fourth of that name.

2. **Roger**, (in many old deeds and collections by mistake called also Robert, yet but one,) second son of the said lord Thomas & Margaret, dyed without issue.

3. **Thomas** the third son, for his portion, had in the 11th of Edw^d the third, conveyed to him and to his heirs males of his body, by this lord his father, divers lands in Faveild; And in the 18th of Edward third hee conveyed more to him and to the heirs males of his body the moytie of the manor of Elifton in Wiltshire; And in the 23^d of Edward the third conveyed more to him and to the heirs males of his body the manors of Syde and Westonbert, with the advowson of the Church of Syde, The remainder to the heirs males of the body of the said lord on the body of the said Katharine to bee begotten; which grant Maurice | his elder brother confirmed; And by another deed his said father conveyed to him his manors, lands, Tenements, rents, reversiones, and services, in Over, Kings weston, and Weston S^t Lawrence, to hold to him and the heirs males of his body, rendring fourty pound rent p ann: to his father during his life, And after that only a rose; Howbeit hee

carta in castro
de Berkeley.carta in castro
de Berkeley.

fine: pasch: 23. E. 3.

406

carta in castro
de Berkeley.
finis in banco.

dying without issue in that. 23^d of Edward the third, then aged near nineteene yeares, All the said manors and lands reverted to his father the donor.

fine pascch: 23. E. 3.
finis de banco.

4. **Alphonsus** the fourth son, lived to bee estated after his brother Thomas death in the moytie of the manor of Elifston, by the fine of his father, in the 23^d of Edward the third, and of the manor of Kingefweston and some others, but shortly after dyed without issue:

finis de banco. 17.
E. 3. 2
cartæ. 16. et. 17.
E. 3. in castr. de
Berk.

5. **Jone** only daughter of the said lord Thomas and Margaret, was in the feaventeenth of Edward the third, (shee then about the age of fowerteene,) maryed to S^r Reginald Cobham, who gave (amongst other things) in mariage with her. 2000^{li} in money, and the manor of Langly-Burell with the advowson of that Church, which this lord her father the same year had purchasod of S^r John de la Mare knight: Her Joynture was two hundred pounds p añ: And if her husband dyed before hee had purchasod other land to her for her life with that two thousand pounds, Then shee to have the same; Reginald dyed in the 36th of Edward the third, And this Jone survived, and held the said Langley-burell after his death, And in the 43th year was assigned dower in Kent of her said husbands lands. More of her I have not looked after. |

fundac: cantuarie
de Cambridge
cum Epō wigorū.

claus: 36. E. 3. m:
43. in com Wilt.

This lords issue by his second wife

407

vetus rotul: in
castro de Berkeley.

1. **Thomas**, the first begotten son of this lord and Katharine, was borne at Berkeley Castle the 7th of June Anno. 1348. in the 22th yeare of Edward the third, which was a year and three weeks after their mariage; whose godfathers were Wolstan Bishop of Worcester, Maurice his fathers eldest son, (after lord,) and the said S^r Thomas de Bradston; And Margaret wife of S^r Maurice Berkeley of Vley kn^t: his godmother: But though hee dyed the next year after, yet had conveyed to him ere hee dyed the manor of Kingf-weston and some other lands.

cartæ in castro
de Berkeley

finis. 23. E. 3.
in banco.

vetus rotul: p^rdic^t

2. **Maurice**, the second begotten son, was born at Berkeley Castle likewise on the 27th of May. 1349. Anno. 23. E. 3., which was eleaven days within the year after the birth of their former son; And was baptized y^e same day by Raph then Abbot of S^r Augustines by Bristoll: And the foresaid Maurice Berkeley, (after lord,) and Mawd wife of Simon Basset of Vley knight, were his god-parents. And though this Maurice also dyed very young, yet in the 29th of Edward the third hee had a remainder in the manor of Sokke in the County of Somersfet and other lands lymited to him.

cartæ in castro
de Berkeley.

3. **Edmond**,

3. **Edmond**, their third begotten son, was born likewise at Berkeley, on the 10th day of July Anno. 1350. in the 24th year of Edward the third, which was a year and six weeks after the birth of his brother Maurice, and was baptized the second day after by the said Abbot of S^t Augustines, who also was one of his godfathers, and Withm de Syde afore mentioned parson of Awre, (his fathers Receiver,) the other, And the lady Agnes wife of the said S^t Thomas Bradstone his godmother. And although this Edmond also dyed very younge, yet had conveyed to him in the 26th of Edward the third, the manor of Barewe gurney and divers lands in Chedder and Tykenham in the County of Somersfet, and in ffaveld in the County of Gloucester; And in the 29th of Edward the third, the manor of Sokke in the County of Somersfet, and divers messuages and lands in Chedder, which upon his death without issue in the life of his | father, came to his next brother John, by force of his remainder in tayle limited in those conveyances.

vetus rot. p^{re}dic^{ti}.Ecfact. 35. E. 3.
ps. 1. m. 12.claus: 35. E. 3.
m. 5.carta in castro
de Berk.

finis in banco.

carta. 29. E. 3. in
castro de Berkeley.

408

4. **John** the fourth and youngest son of this lord Thomas and Katharine, was born at Wotton under edge the 21th of January Anno. 1351. in the end of the twenty-fifth yeare of king Edward the third, whither not longe before, his parents had purpofely removed from Berkeley, which was eighteen months after the birth of his brother Edmond; And was the second day after his birth baptized by Henry ffurneus parson of Slimbridge; whose godfathers were the pryor of Bath and S^t John Tracy one of his fathers meniall knights, And the lady Jone wife of S^t Thomas Botiler his godmother.

vetus rotul. in
castro de BerkeleyBerkeley of
Beverfton.

Of this John and his posterity I will somewhat enlarge my self, because hee was stockfather to that honorable and eminent family of the Berkeleys called of Beverfton castle in the County of Gloc^{ster} and of Bittelthorne in the County of Southton, who, as after appears for many discents, longe florished in great eminency with opulent possessions, little inferiour to this noble family of the Berkeleys of Berkeley Castle.

This John, of all the children issuing from this second marriage, had the blessing to survive his father; At whose death hee was of the age of nine years and nine monthes; And also his mothers death happening twenty four years after, what time hee was of the age of thirty and fower years.

pat: 26. E. 3. ps.
2. m. 13. 23.claus: 35. E. 3.
m: 2. et. 5.Eschaet: 6. H. 6.
post mort^{em} ipsius
Johis.

This John, by the great indulgence of this lord Thomas his father and by the powerfull working of his mother, had by severall conveyances setled upon him in the.

carta in castr.
de Berk.
fines in banco
eisd anñ
fin : 9. R. 2. m. 1.
4. et 5.
plita in banco. 37.
E. 3. in dote
409
Hillar : fin. 2. H.
4. in fecio.
Eschaet : 35. E. 3.
post mori Tho :
de Berk.
claus : 49. E. 3.
m. 33 in dorfo.

carta in Castro
de Berkeley.

the. 26th of king Edward the third, when hee was not two years old, and in a short time after, the Castle and manor of Beverston, and the manors of Tockington, Over, Compton Greenville, Kingeweston, Woodmancote, and Syde, with many lands Advowsons and other hereditaments in the villages and parishes of Wotton, Nibley, Came, ffaveild, Weston birt, Leckhampton, Down hatherly, Bentham, Alveston, and others in the County of | Glouc: **And** the manors and Advowsons of Cernecote, Chelworth, Caldecote, and Bere Revell in the County of Wilts; **And** the manors of Barewe Gurney, Exton, Netherham, and Sock, with divers lands and messuages in Tykenham and Chedder in the County of Somersfet; **And** some others in the Counties of Devon, Wigorn, and Dorset, which I here omit: **And** the said lady, not satisfised as it seemeth with this great morfell thus cut out from the heire of this noble family to her son, but thee procured all those assurances made to her children to bee confirmed by the severall Deeds of Maurice her husbands eldest son and heire, affoone as hee came to one and twenty years of age.

finis : 23. H. 6.
Newl : pedg: et 2.
at. in castr. de
Berkel :
claus : 24. H. 6.
m. 34.
Eschaet : 23 H. 6.
post mori Magaref.

This S^r John who was knighted about the tenth of Richard the second, first maryed Elizabeth daughter and heire of S^r John Betteshorne knight and of the lady Goda his wife, by whom hee had the manors of Betteshorne, and many others of great value in the Counties of Southiton, Wilts, Somersfet, and Dorset: **And**, which was the greatest dowry, shee brought him fourteen sons and two daughters. **And** secondly this S^r John maryed Ellinor daughter of S^r Robert de Ashton by whom hee had no issue. **And** thirdly maryed Margaret the widow of S^r Thomas Breoufe of Tetbury, who survived him seaventeen yeares, by whom also hee had no issue.

Eschaet : 6. H. 6.
n^o 50. post mori.
Johis Berkeley.

Rot. fin. et claus.
in eisdem annis.

And dyed in the sixth year of king Henry the 6th, then of the age of . 76 . years, Having in the 11th and 17th and twentieth years of king Richard the second, and in the 4th of king Henry the fourth, bene chosen a knight for the parliament in the Counties of Gloucester, Somersfet, and Hampsh^r; And nine times high Sherife of the Counties of Gloucester, Somersfet, Dorset, Hampshire, and Wilts, in the 14th 16th 18th and 21th of Richard the second, And in the 4th 8th and . 12th of Henry the fourth, And in the second and third yeares of Henry the fifth.

Rot. pdoñ. 21.
R. 2. m. 13.

In the 21th of Richard the second hee obtained a generall pardon from that kinge, for adheringe to the Duke of Gloucester and Earle of Arundle.

pat. 1. H. 4. ps. 1.
m. 35.

And in the first and 11th of Henry the fourth founded two Chantrys, the one in Meere Church in the County of Wilts, And the other in Betteshorne in the parish
of

of Ringwood in Hampshire, for the fouls health of himfelfe and his frst wife, and of her father and mother : Leaving the faid manors of Beverfton, Tockington, Over, Compton Greenfeild, Kings wefton, wodmancote Side and others in the County of Gloucefter, And divers other manors in | the Counties of Southton, Wilts, Wigorn, Devon, Somerfet, and Dorfet, (which I paffe over,) to difcend upon Maurice his fon and heire, greater then the eftate of James lord Berkeley the frst of that name, that then lived at Berkeley.

fin. 1. H. 4. ps. 2.
m. 16.
pat. 11. H. 4. ps.
1. m. 3.

410

fin: 6. H. 6. m: 18
claus: 6. H. 6.
m. 1. 3. 5.

Maurice Berkeley, knight eldest fon of the faid S^r John, knighted in the life time of his father, and of the age of thirty years at his fathers death, was comonly stiled of Beverfton, but fometimes of Bettefhorne in Hampshire, fometimes of Chadwich in Wiltshire, fometimes of Netherhame in Somerfetshire, and fometimes of Chefflode in Worceftershire.

Rot. pdon. 15.
H. 6. m: 28.

In the 14th and 15th of king Henry the fixth hee was high Sherife of Gloucestershire.

Rot. fin. 14. H. 6.
m: 22. et. 15. H. 6.
m. 29.
claus: 37. H. 6.
m. 12.

The 16th of December in the 37th of Henry the fixth, the king having in a gracious patent recited the good fervices of this S^r Maurice done unto him, doth out of his defire to favour and ease his old age, from thenceforth exempt him from all manner of fervices, which the State or Comon wealth might require of him.

And fo in peace this S^r Maurice layeth down his laborious life to rest, the year next enfuing, then entred into his fatall clymaftericall year of fixty three, leaving iffue by Lora his wife, daughter of Henry lord fitz Hugh, who furvived him, Maurice, Edward, and others ; To whom hee left as ample and opulent poffeffions as hee received from his parents, or which accrued to him by marriage, as the liveryes fued by his heire the yeare of his death in the Counties of Glouc. ; Southton, Somerfet, Dorfet, Wigorn., and others do declare.

Newl: ped. et. 2.
at. in caftro de
Berkel :
Eschaet : 6. H. 6.
in turre post mort
Maur.
fin: 38. H. 6. m. 3.
claus. 38. H. 6. m.
4.

The faid **Maurice** fon of S^r Maurice, was comonly stiled of Bettefhorne in Hampshire, of the age of Twenty fix years at his fathers death.

Eschaet: 38. H. 6.
post mort: Maur.
Berkel. mil: et. 14.
E. 4. post mort.
Maur: Berk: mlt.
fin. 11. E. 4. m. 5.

In the first year of Edward the fourth hee was high-sherife of Hampshire, And in the third year of that king of Gloucestershire, And fo in the 11th year of that kinge, when also his brother Edward was high Sherife for Hampshire, And Thomas Berkeley of Wymondham for Rutlandshire.

In

411
fin. 8. E. 4. m. 10.

In the 8th year of Edward the fourth hee was chofen one of the | knights of the parliament for the County of Gloucester, as also was his brother Edward for Hampshire.

Rot. pdon. 9. E. 4.
m. 22.
pat: 9. E. 4. ps. 2.
dorfo.
pat. 10. E. 4. ps.
7. dorfo.

In the ninth of Edward the fourth hee was knighted and became the kings fervant, and one of the knights for the body of the kinge.

pat. 11. E. 4. pars.
2. m. 10.

The fifteenth of february in the 11th of Edward the fourth, the king in consideration of his manifold good services done unto him, grants to this S^r Maurice for his life, the office of Constable of the Castle of Southton, with the yearly fee of ten pounds. At which time hee was also Leivtenant of Newforest: And now also takes a generall pardon from the king, with twelve ats dictus, unwilling belike to bee mistaken in that pardon.

pat. 12. E. 4. pars.
1. in dorfo.
pat. 22. E. 4. pars.
2. m. 14.
Eschaet: 14. E. 4.
post mort. Mauric.
Berkeley.

fin: 14. E. 4. m. 15.

In the 12th of Edward the fourth hee was of the privy standinge Counsell of that king, and as able a gentleman as those Counties had any, as the records of his many employments under that king do assure his posterity: In which favour and dispatches of State buisines hee continued till untimely death, the fifth day of May in the fourteenth of Edward the fourth, bereaved that king of a prudent Counsellor and Servant, then of the age of fourty and two years, leaving William his son and heire then of the age of twenty and three years, and Katharine his daughter, begotten of Anne his wife daughter of Reginald West lord de la Ware, his only children: And hee and his wife lye buried at Christ Church in Hampshire; To which William descended all the former possessions of this S^r Maurice and his Ancestors in the Counties of Gloucester, Somersfet, Dorset, Wiltes, Southton, Devon and others.

The said Withm son of the said S^r Maurice was an Esquire of the body of king Edward the fourth before the death of his father, And did partake of many gracious favours, offices, and employments of trust, under that king, as these records do witnesse, (viz^t) claus. 14. E. 4. m. 20./pat. 14. et. 15. E. 4. in dorfo./claus. 15. E. 4: m: 16./fines. 15: 16. et. 17. E. 4./fin. 20. E. 4. m: 3./pat. 20. E. 4./Eschaet. 14. E. 4. post mort^r Mauricij de Berkeley mit./pat 17. E. 4. pars. 1. m. 15./fin. 18. E. 4. m. 6./pat 18. E. 4. pars. 1. m. 5./15. et. 23./pat. 19. E. 4. m. 20. |

412
fin. 15. 16. 17. et.
20. E. 4.

And in the sixteenth and twentieth of Edward the fourth this Withm was high Sherife of Hampshire: And in the seaventeenth of Edward the fourth was high Sherife of Somersfet and Dorset shires.

And

And lastly, by the name of Wiltm Berkeley one of the Esquires for y^e body of the king, son and heire of Maurice Berkeley knight late one of the knights for the body of the said kinge, and one of his Counfellors of State, obtaines of king Edward the fourth in the 22^d of his raigne, licence to give ten marks land by the year in Mortmaine to the pryor of Twyneham in Hampfhire, to pray for the foules of the said S^r Maurice and of Anne his wife, and of him the said William and Katharine his wife who was daughter of Wiltm lord Stourton.

pat. 22. E. 4. pars.
2. m. 14.
Newl. ped: in
castrde Berkeley.

In the first year of king Richard the third, this S^r William Berkeley plotted with the Duke of Buckingham, Moreton Bishop of Ely and many other perfonages of great note, to dekinge that Vfurper Richard the third, and to advance to the Crown Henry Earle of Richmond, after called king Henry the seaventh, And by his mariage with the Lady Elizabeth eldest daughter of king Edward the fourth, to unite in one the two houses of Yorke and Lancaster: But the plott being discovered by king Richard, before it was fully ripened, Though this S^r Wiltm Berkeley by flight beyond seas to the said Erle of Richmond prevented the losse of his head; Yet was hee thereupon the same year by parliament attaynted of treason, with the Escheat of all his lands, which forthwith were by that usurping king given away to severall persons whom hee favoured, as the marginalls do shewe: Howbeit upon his returne into England with the said Earle of Richmond, and the death of the said Vfurper slaine in the battle of Bosworth feild the year after, hee was reinvested in his former possessions; But so litle a while rejoyced hee himselfe in that better fortune, That the same year his happines accrued, hee, in Anno. 1485. the first year of Henry the seaventh, (haveing before been knighted,) dyed of the sweating sicknes wthout issue male of his body, whereby the Castle and manor of Beverston and those other manors and lands, by vertue of the said Entayles made in the 26th and other years of Edward the third, remained | and came to Edward Berkeley before mentioned, unckle to this S^r Wiltm, and younger son of the said S^r Maurice his father.

Marten. fo: 319.

pat. 1. R. 3. pars. 2.
et. pars. 3.
pat. 2. R. 3. pars. 1.
et. 2.

Eschaet. 1. H. 7.
in Canc: post
mori Will.
Newl. ped: in
castr. de Berkeley.

413

And as for the said Katharine the only sister of this S^r Wiltm Berkeley, shee was first maryed to John lord Stourton, And after to S^r John Brereton, by whom shee had issue Warburgh, maryed to S^r Wiltm Compton, from whom many honorable persons of great note and eminency at this day, are descended.

Edward Berkeley aforefaid knight, brother of S^r Maurice, and after the death of his Nephewe S^r Wiltm, the only heire and male of this family of Beverston of
22 the

the Bodyes of the said lord Thomas and lady Katharine his second wife, had to his first wife Christian the daughter and heire of Richard Holt Esq, who had issue between them Lora maryed to John lord Mount Joy, father by her of John lord Mount Joy and others, whose posterities in many remarkable families yet flourish, Anno. 1620.

claus: eisd annis.
fin. 10. H. 7. et in
anno predict.

And to his second wife had Alice the widowe of John Poyntz Esq, by whom hee had issue, 1 Thomas Berkeley, 2 Maurice Berkeley, and 3 William Berkeley; And in the tenth of Henry the seaventh was high Sherife of Gloucester shire. And in the 11th 15th and 20th of Edward the fourth, for Hampshire. And in the 8th of Edward the fourth knight of the parliament for that County, And often otherwise employed by the State in places of great trust, **And** dyed in the 21th of Henry the seaventh; And Alice surviving, dyed shortly after in the first of Henry the 8th, and left those antient possessions of Beverston and the other entayled manors, with many other faire possessions, to discent upon his sons as after followeth.

Michas. rec. in
scio 7. H. 7. rot.
34. em rem.
thesaur.
Pasch: rec. ibm
16. H. 7. rot. 9.

414

The foresaid **Thomas**, eldest son of the said S^r Edward, maryed Elizabeth daughter of George Nevill lord Abergavenny, And dyed in the life of his said father in Anno. 1500. the fifteenth of Henry the seaventh, leaving issue by his said wife one son and four daughters viz^t John, six years old at the death of his grandfather S^r Edward, | And dyed the kings ward without issue; **Lora** the eldest daughter was maryed to John Ashburnham of Ashburnham in Suffex Esq, father of John, father of Sir John, father of John and William that now are. 1624. **Anne** the second daughter was maryed to John Brent of Charinge in Kent Esq, father of Margaret who was maryed to John Deringe of Puckley in Kent Esq, father of Richard Deringe father of Sir Anthony, father of S^r Edward Deringe knight and Baronet that now is Anno. 1624. (whose help in this discent I thankfully acknowledge,) who first maryed Elizabeth eldest daughter of Nicholas lord Tufton, by whom hee hath issue Anthony; And secondly maryed Anne daughter of S^r John Ashburnham aforesaid, by whom hee hath issue Edward, Anno. 1628. **Elizabeth** the third daughter of the said Thomas was maryed to S^r George Herbert of Aberconway in North Wales, knight, brother of Wilm Herbert Earle of Penbroke. And **Alice** the fourth daughter was maryed to George Whetenhall of Estpeckham in Kent Esq, who had issue Thomas, father of S^r Henry, father of George, Henry, and Francis Whetenhall that now are, Anno. 1624.

Eschaet. 5. E. 6.
post mort Willi
Berkel: mittis.

Maurice the second brother of the said Thomas, dyed without issue the ninth of September in the fifth of Henry the 8th, before the said John his nephewe.

William

William the third son of the said Edward and youngest brother of the said Thomas, was also a knight, And maryed Margaret daughter of Wiltm Pawlet Marques of Winchester, by whom hee had issue John Berkeley knight and others, And dyed in the fifth year of Edward the sixth, leaving his forefaid entayled poffessions to discend upon the said John his son and heire, after knighted.

Origin : in sc̃cio
6. E. 6. ps. 1. rot. 49.
Pasch : rec. in
sc̃cio 21. H. 8.
rot. 26.

The said S^r John Berkeley knight, son and heire of the said S^r Wiltm, first maryed Frances daughter of S^r Nicholas Poyntz of Acton in the County of Gloucester, knight, and of | Jone his wife daughter of Thomas lord Berkeley the fifth of that name, by whom hee had issue John, Jone a professed Nunne, Katharine, and Margaret : And after maryed a second wife by whom hee had no issue ; whose ill governed life after her husbands decease is unworthy of any memoriall in these relations : And hee dyed the 18th of October in the 24th of Elizabeth.

See fol :

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Eschaet. 25. Eliz :
post mort Johis
Berkeley mitis.

I have often heard Henry lord Berkeley report this S^r John, (his familiar freind and kinfman,) to bee a very able and well spoken gentleman, and as eminent a parliament man as any of his time : yet wasted hee all that antient patrimony, which from the said first entayles thereof in the time of Edward the third had discended upon him, as heire male of those entayles, excepting only his Castle and manor of Beverston, from whence hee and his Ancestors for all the former discents had had their denomination of **Berkeleys of Beverston**, And thereby were distinguished from other branches of this noble roote and family.

John Berkeley son and heire of the said S^r John, maryed Mary daughter of John Snell Esq^r, by whom hee had issue as followeth ; And in the 39th of Elizabeth alayened the Castle and manor of Beverston to S^r John Poyntz, and hee shortly after to Henry ffleetwood of Grayes Inne Esq^r, And hee shortly after to S^r Thomas Earlsfeild, And hee againe to the said Henry ffleetwood, And hee againe to S^r Michael Hickes knight, whose son and heire S^r William Hickes, a Baronet, now holdeth the same, Anno. 1628. And though this family had many great poffessions rended and taken from their male lines at severall times by the heires generall that it sent forth, as formerly Appeares, yet the heires males still held up with equall eminency to the greatest gentry of that County, aswell in lands, Allyes and matches of their children, as in the quality of their persons, till now that their high tide, by these two **Johns** the son and father, is cast into a lower ebbe and condition ; which I hartely wish may with a higher springe returne againe from some great ocean floud and fill their former banks and chanell. |

- 416 And therewith ended all the said possessions entayled by the said lord Thomas and Katharine, in the time of Edward the third, upon the issue males of their two bodies, as often already hath been said ; whereby I may justly say without wronging the issue male of that marriage yet livinge, That their honorable name and discent hath for the present over lived their fortunes.

The said John Berkeley in the 18th of king James went into Virginia, where in the year following hee was with many others massacred by the natives, leaving issue by his said wife, Maurice, John, Henry, William, Edward, Thomas, Mary, Frances, Elizabeth and Anne ; Of whom read more in the life of Thomas lord Berkeley the fifth of that name.

And if the males of this branch shall hereafter desire to bee recreated with a further knowledge of their Ancestors changes and chances, in the various passages of their generations, These following records will give light therein, none of which are before mentioned ; viz! Record : in scēio Term : hillar : 5. H. 4. rot. 3. cum rem̃ thes : / Coñ banc : Term̃ pasch. 18. H. 6. rot : 312. / pat. 1. H. 4 : pars. 7. m. 25. in dorfo. / et 4 H. 4. pars 2 in dorfo / Pat. 1 E. 4. pars 1 dorfo / Pat 3 E. 4. dorfo / Rec : de term̃ Michis. 7. H. 7. rot : 34. cum rem̃ thesauř : in scēio. et ibm pasch 33. H. 8. rot. 39. / et ibm Hillar. 3. E. 6. rot. 12. / et ibm original. 6. E. 6. pars. 1. rot. 49 / et ibm Michis rec : 39. Eliz : rot : 107. / Rot. pardoñ. 10. et. 11. H. 4. m. 5. / pat. 6. E. 4. pars. 1. m. 15. / et dorfo. m. 5. / pat. 7. E. 4. pars. 2. m. 2. / pat. 8. E. 4. pars. 1. m : 18. / Michi : fin. 8. H. 6. in scēio. |

His Seale of Armes

- 417 This lord was constant in his seale of Armes, never by him altered ; for with the seale hee began in the first of Edward the third when hee entred upon his barony, hee ended in the 35th of the said kinge, when hee left it with his life. In diameter an Inch and somewhat better, charged with the Cheveron and ten crosses borne cornerwise, circumscribed *Sigillum Thome de Berkeley*, supported with two mairemaydes, having the Bishops mitre for the crest, which now by him was first assumed, but not charged with the crosses. Behold the figure thereof.¹ |



His

¹ It will be observed that there is a considerable discrepancy in the description of the seal given by the Author and the figure which he appends. It is so in the Original. [Ed.]

His death and place of buriall

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Est commune mori, mors nulli parcit honori.
 To dye is comon, All in this have share
 for death impartiall, will noe honor spare.

The Eve of Simon and Jude the 27th of October. Anno. 1361. in the 35th year of king Edward the third, is the last of this lords days, then aged . 68 . yeares and somewhat upwards, of which hee fate lord 35 . yeares and five months and nine days; And lyeth buried by y^e body of Katharine his second wife in Berkeley Church, as formerly is written, in a faire Tombe with their refemblances yet remaining, beautified with the Eschuchions of his Armes; And in the south window over against the said monument are the pictures or monuments of their three foresaid children, Thomas, Maurice, and Edmond, who dyed young, as formerly is written: **And** I wish that time it self may never weare out it, or the memoriall of his life, But that as a fixed starre in the sphear of this family, the example of his life may guide his posterity to honor and honorable frugality, as the starre in the east did the wise men to Christ, and there stand over the gates of this house, as that blessed starre did to them: Thrice happy in the blessing of Maurice his eldest son, (now lord after him,) A son of Mars and a perfect builder upon the husbandly foundations of his father, and a rayser of those structures to an higher pitch, as after followeth.

Eschaet. in turre
 35. E. 3. post
 mortem pred^{ci}
 Thomæ.
 Comp: de Slimbr.
 35. et 36. E. 3. in
 castro de Berkeley.
 Newl: ped. et 3.
 at: in castro de
 Berkeley

The lands whercof this lord dyed seized

In Ester Terme in the 23th yeare of Edward the third, (not two years after this lords second mariage, and as it may seeme upon the occasion of the frute that sprang therefrom by the birth of Thomas their son,) hee, (having before obtained the kings lycence to that end,) leavyed a fyne to the said William de Syde and others | of his Chaplens and servants, of the Castle of Berkeley and of the manors of Berkeley, Hame, Appleridge, Alkington, Hinton, Wotton, Simondfall, Came, Cowley, Slimbridge, and Upton St Leonards, and of the hundred of Berkeley, with the viewes of franke pledge to the said manors belonging, And of the Advowsons of the Churches of Wotton and Slimbridge in the County of Glouc: with a render back to himself for life, And after to the said Maurice his son and heire apparent and to the heires males of his body, The remainder to the heires males of the body of the said lord Thomas and Katharine his second wife, The remainder to the right heires of himselfe for ever.

fin. 23. E. 3. in
 ban: et in castro
 de Berk:
 pat 22. E. 3. pars.
 3. m. 1. et. 11.

419

And

fines: 26. E. 3. in
banco: et in castro
de Berkeley.

And in Trinity Terme in the 26th of Edward the third, leavyed the like fine of the manor and hundred of Portbury in the County of Somerset, with a render to Maurice his eldest son for life, The remainder to the said lord for his life. The remainder to the heirs males of the body of the said Maurice, The remainder to the heirs of the said lord begotten on the body of the said Katharine, The remainder to his own right heirs for ever.

cartæ in castro
de Berkeley.

And at the same time by severall deeds conveyed to certaine feoffees the fore-said manors and libertyes, with larger words than are contained in the said fines, who forthwith regranted the same with the like estates and remainders over as are expressed in the said fines; which deeds though they beare noe dates, yet were made at the same times, whereof my selfe, upon futes and questions (esppecially for tenures and liberties,) made more profitable use to the benefit of this noble family than I could have done by the said fines.

Other fines and deeds at these times also were leavyed and made by this lord, of divers other manors and lands of like estates with like remainders over, whereof because they are aliyened from the family, I forbear the mention in this place, haveing touched some of them before, and some others hereafter followe upon other occations.

I will not peremptorily determine upon what grounds these fines were by this lord thus leavyed, and his said barony and lands thus entayled; **As** whether to avoid the like danger of forfeiture and Escheat to the Crown, as his father and himself by their rebellions, And himself by the ill Custody | of Edward the second, had wellnigh cast their house into: **Or** whether it was the doing of his second wife for the advancement of her sons with so great and new remainders: **Or** whether it was the wisdom of the said lord to cease thereby the importunacies of a step-mothers requests, that never thinketh shee hath gotten enough for her own children: **Or** whether his ambition to perpetuate his name and barony together, as long as issue male of his body by either wife should remayne: **Or** whether the ambition of Katharine, thereby to hem in and circle into honour and nobility the issue male of her own body, but the onely breath of Maurice then being between, and not otherwise to attaine the honor of this barony, being but of the half bloud to the said Maurice: **Or** whether the wisdom and requests of the said Maurice by himself, or the lady his wife, or by either of their kindred or freinds who were of great worth and potency, or upon what other grounds or motives. **But** sure I am the good providence

providence of the god of mercy to the male line of this family had a hand therein ; for otherwife, by the death of the lord Thomas Berkeley fon of this Maurice, the first remainder man, happening . 68 . years after, in the 5th yeare of Henry the fifth, the name of Berkeley lord Berkeley had been swallowed, And the male line of this lord then been in the estate of those honorable gentlemen whose name overlived their fortunes, by havinge litle left unto them by their Ancestors for their maintenance ; but by service or other heeroicke undertakeings are to lay the groundwork of new families and of new honors ; As after more amply upon riper caufe I shall write in the life of the lord James the first, and the first man that relished the sweetnes of the fruite which these fines to the heires males did beare.

And for such other manors lands and hundreds whereof this lord now dyed feized, they, (with these aforefaid,) are mentioned in Inquisitions after his death found the same year, which yet remaine in the Tower of London ; As the manor of Awre, the manor of Hurst, two and twenty marks rent in fframpton, with others, whereof mention shall more properly bee made, after the death of the said Maurice, who was by his fathers conveyance estated in possession longe before hee dyed, in many of them. **In** which Inquisitions are mentioned also the manors and lands which then remained and came to John Berkeley his half brother, who at this time upon the death of this lord Thomas was near ten years old, as before is touched.

The tenth of November following the said Maurice doth his fealty and hath livery of the said lands, and his homage respited ; And pleadeth in discharge of the releefe demanded of him, how his father dyed feized but of an estate for his life, by reason of the said fine leavyed as aforefaid, which is allowed ; And the year after in the 36th of Edward the third makes his homage to the king accordingly.

Howbeit two years after that, the said Maurice is againe by proces called into the Exchequer for his supposed releefe ; where hee pleadeth in barre and voucheth the former record of his fealty & homage, and the kings licence to his father to alyen, And his said fine to the heires males leavyed thereupon ; Averring that hee is not to pay any releefe for that his father had but an estate for life, And foe is discharged.

In this 37th of Edward the third, and (as may bee conceived,) upon the occation of this Exchequer sute, an Inquisition by Jury was taken at Gloucester, (where this lord was present,) before Willelm de Oldbury Ingrossatore sc^acij, ingrosser of

Eschaet. 35. E. 3.
Comp : Eschaetor.
in Sc^acio. 35. E. 3.
in bāga.
claus. 35. E. 3. m. 2.
Rot. fin : 35. E. 3.
m : 11.

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Mich : rec. in
sc^acio 35. E. 3.
cum rem thes :
claus : 35. E. 3.
m. 2.
fin : 35. E. 3. m. 11.
claus : 35. E. 3.
m : 42.

hillar : rec : in
sc^acio 37. E. 3.
cum rem. thes :
hillar : fin : itm
eodē : anno.
pat. 22. E. 3. pars.
3. m. 1.

Inq : 37. E. 3. in
sc^acio.

Baronia.
liber relevioꝝ cum
reñi thes: in hillaꝝ

37. E. 3:

of the great roll, (as I conceive his office,) by vertue of a spetiall Comission to him out of that Court directed, whereby it was found, That the manors of Berkeley, Hame, Alkington, Hinton, Hurst, Slimbridge, Came, Wotton, Symondfall, Cowley, Arlingham, and Portbury, are of the barony of Berkeley, et eandem baroniam faciunt, and make the same Barony; **And** in the schedule annexed to the said Inqũſiçon, are the knights fees which belong to the said Castle and manor of Berkeley, whereof read more largely in my Register booke of the lord Berkeleyes tenures by knights service, And before in fol: [178]

comp: de pertic:
36. E. 3. in castro
de Berkely.

And such was the personall Estate of this lord, That shortly after his death his eldest son, and widdowe bought for their parts, of his Executors, to the value of—
1326^{li} 4^s 0^d of his sheep and cattle, at some of his farme houses. |

422

The application and use of his life

The use.

1. **To** claspe up this lords life which to his posterity should ever lye unfolded, Instead of applying his actions to the benefit of this present lord and his posterity, I avowe, That having now observed his employments at home and abroad, in peace and warre, by sea and land, the ordinary and extraordinary Commissions hee executed in . 2 . 3 . 4 . 5 . 6 . 7 . 8 . and more Countyes, in most years of this kings active raigne; besides the publike musters in as many or more Countyes, which in like manner hee was employed in, besides the goale deliveries in many Counties whereat hee was by spetiall direction required to bee, together with his half years or rather each quarters travells to parliaments, and to consultations of the nobility alone in matter of state, his frequent and more then yearly goings to Juſts and Turnements, together with the times which his private estate required; It casts mee into a kind of unbeleefe that so many dispatches could not bee, by any one man; And yet by one so carefully following his private studies and husbandries, and the art of thriveing, espetially also to pick out so many days and times for his hawkes and hounds, which hee in much variety of sport and chafe followed and delighted in; I further assuring this family That though I have drawn the thread of this lords life to a troublesome length, yet have I in the winding up thereof cast aside near a fourth part of the lesser ears which my gleanings had picked up and brought into my looser papers: But hee is now at rest, And hath to accompt for as fewe idle houres as any man I have ever observed. **Word** let it bee noe offence in mee to wish this lord to come againe, or that hee that now lives and wears his honor, and others after him, may bee like unto this lord Thomas the third, whom now I leave in dust against my will: Acknowledging That beleife must straine hard

to

to make his life probable with his posterity: And had not all his actions by mee herein mentioned, been written in the times of the doing, | and acknowledged by 423
generall vote and matter of record, scarcely would the legend bee more Apochriphall
and les to bee beleived.

2. **Againe** this family upon a serious confideration and putting together of the lives of this lords rebellious father and himselfe, cannot in their inward retirements but practically know and confesse, the blessed providence of Allmighty god extended to the preservation of their house; And how his hand returned the points of their great errors to the increafe of their greater good: And in a thankfull acknowledgment of the great mercies extended to the root, put forth their future branches in their severall generations to bear fruite answerable to such extraordinary blessings.

3. **Againe**, though it's true That in the springe-time of our youth wee ought to plant and sow all our provissions for a longe and happy life; And as wee sow wee reap, And that from thistle plants wee gather no grapes, yet the observation of this lords life, in youth the foulest of any in his generations, before thirty exceedingly stayed wife and thriving, and so till death, increasing: And on the one side it verifies that misery makes wise, and affliction bringeth understanding: So on the other side, it takes away despaire from the parents in his posterity, when their children shall in youth deviate, as hee did: For of this lord, (notwithstanding the foule ways wherein hee longe walked,) it may bee said as of king David That hee dyed in a good old age, full of dayes riches and honour, And Solomon his son raigned in his steed: A lord whose wholl life is a double text for his posterity, If I could deliver him as fit, for the text.

Cron: 29. vers. 28.

424 blank

The Life of Maurice the Fourth

425

The Life of Maurice lord Berkeley the fourth of that name, stiled in Writings Mauriç filius dñi Thome dñi de Berkelee, And Mauriç fit dñi Thome de Berkelee And Mauricius filius Thome de Berkelee And dñs Mauricius de Berkele And dñs Mauricius dñs de Berkelee And Mauricius de Berkely dñs de Berkeley. And Mauř de Berkele chivaler filius dñi Thome dñi de Berkelee. And used to write That hee had such and such lands ex concessione dñi Thome dñi de Berkele venerabilis dñi et patris mei, By the grant of the lord Thomas lord of Berkele my venerable lord and father.

diversæ cartæ in
Castro de Berkeley.
pat. 35. E. 3. dorfo.
Eschaet : 42. E. 3.
in diversis coin.

And may bee called Maurice the valiant.

Contemporary with Edward the third from . 1361 . till 1368

Whose life I have delivered under these twelve titles . (viz:)

- 1.—**His** birth and youths education—fol : [425]
- 2.—**His** husbandryes and hospitalities—fol : [427]
- 3.—**His** forraigne employments—fol : [428]
- 4.—**His** purchases of lands—fol : [433]
- 5.—**His** Almes and devotions—fol : [434]
- 6.—**His** miscellaines or various passages, not aptly to bee reduced under titles—fol : [436]
- 7.—**His** wife—fol : [436]
- 8.—**His** issue—fol : [438]
- 9.—**His** seale of Arms—fol : [440]
- 10.—**His** death and place of buriall—fol : [441]
- 11.—**His** lands whereof hee dyed feized—fol : [442]
- 12.—**The** application and use of his life—fol : [443]

His Birth and youths education

Escaet : 35. E. 3.
in Coñ. Somerset
pars. 1 : m : 12.

This lord Maurice was borne in the end of the fourth yeare of Edward the third, near about the time of his fathers tryall in parliament for his life and fortunes, as in his life is already written. |

426

2. cartæ in castro
de Berkeley.

Comp : garder.
11. E. 3. in castro
de Berkeley.
A younge knight,
to prevent
wardship.

In the eleaventh yeare of the said king, about the seaventh of his age, what time his mother dyed, his father placed him at Portbury under the tuition of Wilm de Syde, parson of Awre and his fathers Receivour, often before mentioned : And the sooner to initiate this his son in good husbandry, demised to him for his life his two manors of Portbury and Bedminster with their hundreds, at the rent of . 266^{li} 13^s 4^d for payment whereof at fower equall quarters, the said Wilm de Side became his schollers surety ; And yet his father the same year took him alonge with himself in that martiall voyage which hee made into Scotland ; perhaps to mollify the grieve of his wifes death : In which Journey this Maurice was knighted, then about seaven years old.

cartæ in castro
de Berkeley
finis de recordo
in banco.

In the 12th year of that king, and the 8th of his age, hee (then a knight) with y^e portion of his wife, or purse of his father, purchased to himselfe and his heirs, of Ralph Wallington, the revercon of the manor and advowson of Orcheston, and the moytie of the manor of Elifston, which Margaret the widow of S^t John Gifford of Brimesfeild then held for her life.

claus : 12. E. 3.
pars. 2. in dorso.
Escaet : in turre.
42. E. 3. et. 13. R. 2.
et. 5. H. 5.
comp. de Slim
bridge 12. E. 3. in
titlo deferri reddit
claus : 42. E. 3.
m. 7.
fines. 5. H.
5. m. 14.

The same 12th year hee was married to Elizabeth daughter of Hugh lord Spenfer then about eight years old, upon which mariage his father by his Deed dated at Beverston the 28th of September in the 12th of Edward the third, conveyed to him and his wife and to the heires males of their two bodyes, the manor of Hurst and twenty two markes of free rent in Frampton upon Seavern, and as many particular messuages and lands in Came as in old rents amounted to, 12^{li} 10^s p añ. But though thus maryed at eight, yet had hee no issue by her till about . 12 . or . 13 . years after.

In

In the 16th of king Edward the third, (this Maurice then aged . 12 . years) the lord Thomas his father conveyed to him for his life, his manor of great Wenden in Effex, and ten pound rent which hee received of Witm lord Zouch out of his manor of Bridgwater in the County of Somerfet, To hold under the rent of one red rofe.

cartæ in caſtro de Berkeley.

The ſecond year after upon his returne from Spaine, his father mitigated the rent of his leafe of Portbury &c. unto . 200 . markes ; And in the 24th of Edward the third, abridged the rent unto one hundred pounds ; And that only to bee paid, tanque le dit Maurice eyt botee baner, et quel houre q'il ey botee baner, from thence forth noe rent at all : And this happened at the incomparable battle of Poytiers in the Thirtieth of this king, what time this Maurice was . 26 . years old, whereof read after in his forraigne employments.

cartæ. 21. et. 24. E. 3. in caſtro de Berkel :

427

His husbandries and hospitalities

This lords husbandries were. as his fathers, And as his fathers true apprentice therein, hee had learned his trade aright : The order of his affaires, qualities of his ſervants and attendants, in the ranks of knights Efquires and other degrees, in the government of his houſe, and allowances to each, they were continued as his father left, and by the ſame officers, as their ſeverall Accompts in each office yet remaining do declare, And in the laſt year of his fathers life, after return from his captivity, was in full fruition of all.

Comp : de garde-rob : 40. E. 3. et diſſi comp. 36. 38. 40. et. 41. E. 3. in caſtr. de Berkeley.

I find in the fourtieth and one and fourtieth of Edward the 3^d two accompts of the profits of the Caſtle gardens at Berkeley, of the apples fold, and of the perry and cider there made, whereas in the laſt . 35 . yeares of his fathers life, I met not with the like.

Comp : miniſt. 40. et. 41. E. 3. in caſtro de Berkeley.

And in the 36th of Edward the third this lord had in divers of his manors, greater flocks and heards of ſheep and cattle than were in three or fower yeares before his fathers death.

Comp. ſpici. 36. E. 3. in Caſtro predict.

And in the 41th of Edward the third, this lord had a vineyard at Berkeley, for fourteen days wherein, in ſcouring the ditches and better incloſinge of the ſame, hee paid to a workman at . 3^d the day . 3^s 6^d . An huſbandry alſo I found not in his fathers days, learned perhaps by this lord whilſt hee was priſoner in ffrance or a Traveller in Spaine.

Comp. burgi de Berkeley. 41. E. 3. in caſtr. de Berk. Campden Engliſh fol. 71. 72.

And

Comp̃i predicti.

And for the transporting of his wooll and corn, both unto severall coasts and ports of this kingdome, and into forraigne parts; And for the importation back of forren wines and wares needfull for his use, had a barke or ship of his own, which I thinke was first introduced by his father. |

428

His forraigne imployments

Comp: garderob.
11. E. 3. in castro
de Berk:

How that in the seaventh year of his age, his father took him along with himself into Scotland, is before touched, what time hee was knighted.

Comp: Rec: 16.
E. 3. in castro de
Berk:

The Receivours accompt of lord Thomas his father, for a year ending at Michaelmas in the 16th of Edward the third, hath thus; In dono dñi dño Mauricio filio suo pro itinere suo versus Granado—66^{li} 13^s 4^d. Given by the lord Thomas to S^r Maurice his son for his expences towards Granado. 66^{li} 13^s 4^d.

Comp: Rec: 18.
E. 3. in castro de
Berkeley.

And the Accompt of the Receivour for the year ending at Michaelmas in the 18th of Edward the third hath thus; In dono dñi Willmio Gray nuncio dñi Thome West venienti de partibus Granado cum literis dñi Mauricij filij sui—4^s. Given by the lord Thomas to William Gray, servant to S^r Thomas West, bringing tres from Granado to him from S^r Maurice his son—4^s. At this time this S^r Maurice was about fourteen years old; but upon what occation this travell and two years absence was in Spaine I find not, unles to gaine the Language with experience, and to keep him from accompanying with his wife.

fabian et al:
Hollingshe:
Speed.
Stow.
How. fol: 242.
Serres. fol:
ffroissard. vol. 1.
165. et al:

The receivours Accompts for the year ending at Michaelmas in the 20th and 21th years of king Edward the third, have thus; In dono dñi, dño Petro Corbet in itinere suo vltra mare cum dño Mauricio fili dñi—10^{li}. In reward to S^r Peter Corbet going beyond sea with S^r Maurice my lords son—10^{li}. At this time hee was about fixteene. **And** now were great and bloudy warrs in Gascoigne and Normandy, wherein the English yearly mightely prevailed upon the ffrench; **And** on the 26th of Aug^r in this 21th year was fought the ever memorable battle of Cressy, to the endles honor of the English name, whereat this young foldier and knight was; And as I conceive then attendant on the black prince, upon whom the fury of that battle was poured, as by our English Chronicles is delivered,

And as probably may bee gather'd, from this time or somewhat before, this Maurice was de retinentia principis one of the princes dayly attendants; whose particuler name and imploymment though I find not of eight years, yet I cannot
bee

bee led to beleive fo valiant a | man in the prime of his youth, boldened with battle and victory, lay idle, the kingdom fo labouring in action at home, and in Armes beyond seas. 429

The king in the 29th year of his raigne makes prince Edward his eldest son Leivtenant generall for Gascoigne and Aquitaine, whither that year hee goes; And with the prince went Thomas then lord Berkeley, this lord Maurice by the name of Mauricius filius Thome de Berkeley miles, and divers others of their Allies and neighbors, as after followeth, where all of them do winter.

Rot. vascon : 29.
E. 3. m : 1. 8.
ffranc : 29. E. 3.
m. 8.
Hollings : fo : 346
et alij

And upon munday the 19th day of September in the thirtieth of king Edward the third, Anno . 1356 . was fought the feirce and cruell battle of Poitiers in France, by the black prince (fo called for his redoubted martiall deeds, and not from his complection,) and his lords of England; whereat were taken prifoners John the French king and his son Phillip : And amongst others of the English, in the middle ward of the battle with the prince, (faith Howe and others) was the lord Maurice Berkeley, (then about 26 . years of age,) son to Thomas lord Berkeley then living very old : who (to use the words of Stowe, Howe, & others,) calling this Maurice a worthy man, for the space of two hours together with his men, never spared, but would bee still in the forefront of the battle, invadinge his enemies with the first ; **This** Maurice being in the Dolphins guard, (the french kings eldest son,) fowed blows amongst them, first with a spear, then with a sword, and at length being all alone compassed with the multitude and forely wounded was taken prifoner ; Thus Howe and they.

Speed. fol : 582
How. 256. 262.
Stow : 406.
Fabian et al :
some writers say
the battle was : 22.
Septem. but erroneously.

But ffoifard the french preist, a man much esteemed for the fidelity of his history, related the valor and fortune of this Maurice thus : **Amonge** the battles, recontrings, chafes, and pursuits, that (faith hee) were made that day in the feild, it fortunated that an Esquier of Picardy called John de Helenes was fled from the battle and met with his page, who delivered to him a new fresh horfe, whereon hee rode away alone ; The same season there was in the feild the lord Berkeley of England a young lusty knight who the same day had reared his banner, And hee all alone pursued the said John de Helenes ; And when hee had followed the space of one League, the said John turned againe, and laid his sword | in the rest instead of a speere, and so came running towards the lord Berkeley, who lift up his sword to have stroken the Esquire ; but when hee saw the stroke come, hee turned from it, so that the Englishman lost his stroke, And John strake him as hee past on the arme.

Froifard. fo. 82.
cap : 163.

aged. 26.

430

The translation
hath Tho : but
erroniously.

arme, that the lord Berkeleys sword fell into the seild ; when hee saw his sword down, hee alighted sodainly of his horfe, and came to the place where his sword lay, And as hee stouped down to take up his sword, the french Esquier did peck his sword at him, And by hap strake him through both the thighes, so that the knight fell to the earth and could not help himselfe : And John alighted of his horfe and tooke the knights sword that lay on the ground, and came to him, And demaunded if hee would yeald him or not ; The knight then demaunded his name, S^r said hee, I hight John de Helenes, But what is your name ; Certainly said the knight my name is Maurice, and am lord of Berkeley, a faire castle on the river of Seavern in the Marches of Wales : well S^r quoth the squire, then you shall bee my prisoner and I shall bring you in safe-guard, and I shall see that you bee healed of your hurt : well said the knight I am content to bee your prisoner, for you have by law of Armes wonne mee : Then hee fware to bee his prisoner, rescue or not rescue ; Then the Squire drew forth the sword out of the knights thighes, and the wound was open, then hee wrapped and bound the wound, and set him on his horfe, and so brought him faire and easly to Chaterleant, and there tarried more then fifteen dayes for his faye, & did get him remedy for his hurt ; And when hee was somewhat amended, then hee gat him a litter and so brought him at his ease to his houle in Picardy, there hee was more then a year before hee was perfectly whole ; And when hee departed hee paid for his ranfome six thousand nobles : And so this Squire was made a knight by reason of the profit that hee had of the lord Berkeley. Thus ffoiffard : I hold it no error in ffoiffard to give the title of lord to this Maurice, for his father, (whose death followed in the fifth year after, and before ffoiffard had ended his history,) had imparted to him the better half of his Estate, and the management (in effect) of all the rest, And was by the death of his father become lord Berkeley.

431
pat : 34. E. 3.
pars : 1. m : 29.

The king by his tres patents dated the 12th of february in the 34th | of his raigne recites, That whereas at the request of the Earle and Countes of Arundle, the Earle of Salisbrigg had obtained leave of those to whom his deere and beloved friend Maurice Berkeley knight is prisoner, for him to come into England and here to dispatch his busines, untill the twentieth day after Michaelmas next, And by that day to returne and bee in the prison and place, which to him shall bee assigned by his master or mistres without deceit ; And therefore wee (the king) now promise in good faith, That noe impeachment or disturbance shall be done or permitted, Nor wee will permit that the said Maurice shall bee hindred to break his oath in not returning againe to his prison beyond sea at his day : And if it shall happen that
any

any of our subjects shall impeach or so hinder that the said Maurice should not return, wee promise (en bone foi) in the word of a king That hee shall regoe to his prison at the said time. Witnes these our tres patents at Westminster the 12th of february in the 34th of our raigne of England and of france the twenty first.

Accordingly this lord Maurice comes into England, and returnes to his prison before his day assigned; And in what fort the same month hee wrought his enlargement, let a fair instrument in French in the Castle of Berkeley after the imperiall order, dated at Calais the 28th of October. 1360, (which was the same 34th of Edward the third,) declare, which hath thus; **T**he honorable and noble man Mounseieur Maurice de Berkeley chivaleir. hath agreed for his ranfome for—1080^{li}. of English money sterling, for payment whereof Henry Duke of Lancaster and S^r franke de Hale knight are become his sureties, And thereupon hee is discharged of his imprisonment and of his faith given: which agreement is made in the said Dukes chamber at Calais with John Conte de Sacrebruche, who by his deed declareth thus much.

cartæ in castro
de Berkeley.

Either the difference of coynes in their valewes in severall kingdoms: Or that of ffoissards. 6000. nobles now remained unpaid 1080^{li}: may reconcile the variance; And it is to bee noted that the 1st Earle of Salisbrigg, by whose means this lord came over into England, was at this time a prisoner to the king of England in Wallingford Castle: where, upon what provocation I find not, hee and his servants in May after, were beaten; whereat the kinge seemed highly displeased, sending a speciall Commission to enquire the truth and manner thereof. |

patent. 34. E. 3.
pars: 1: m. 12.

This battle of Poytiers is, with all impartiall historians of what nation soever, preferred before all others fought before or since by the English, Grecians, Romaines, or by any other nation in the world, and to bee obtained by the greatest military valour and virtue: They consider it with these circumstances: The wholl kingdome of France was then settled in a willing obedience under one mighty and valiant king: A king whose reputation abroad was no lesse then his puissance at home: Under the honor of whose floure de lices, the king of Bohemia had held it an honor to serve in person: At whose call the Genowaies and other bordering states redily tooke Armes: A king unto whom a prince, the Dolphin of Viennois, gave away his dominion for love: And to whom the king of Majorca sold that goodly Territory for money. The Country of france it self fenced on every side, to y^e help of it self and to the disadvantage of the English. Noe faction either generall through the

1.

2. 3.

4.

5.

6.

7.

- Country, or particular through the provinces or cities thereof, but each eagerly bent against the English. The French as well experienced in feats of warre as the
 10. English, and in the opinions of men their superiors. In Armes, in horse, in health of body, and in all provissions greatly beyond the English. And as Serres and other french historians have, their kinge had all the advantages over our prince Edward, both of number, force, shewe, Country, and conceit. And withall the choice of all his horsmen, then the best in all Europe, with the greatest and wisest Captaines of his wholl Realme, More at the houre of battle hee could not have wished for. And yet the golden mettle of this English Army of eight thousand, (surrounded on each side with more then threescore thousand French, better appointed, and no lesse experienc'd warriors,) sodainly leaved for this Journey from following the Cart and sitting on the shop stall, beat this French Army out of the feild; And from the midst of those forces brought the king and his son Phillip prisoners into England. Out of the County of Glouc went about . 300 . of these foldiers, many of whom were the kinsmen, Allies, neighbours, and tenants, of this lord and his father,* As Thomas Berkeley of Uley, Nicholas Berkeley of Dursley, Peter de Veel of Huntingford, Symon Basset of Uley, knights, and others, The posterities and Surnames of many
 433 of whom continue of eminent note | about Berkeley Castle to this day: And I may avouch That the genius & naturall courage of these my Country Captaynes and their Soldiers, thus for ever renowned in this wonderfull battle, liveth in their posterities that now flourish, as the next ages will declare when they have such a king and prince to follow: The soile where I write and live, and the acquaintance I have in the midst thereof, with divers of the posterity of these hectors, calls upon mee to celebrate the funerall memory of these my Allyes, and neighbours with this memoriall, to the Eternizing of each of their fames without offence or flattery. And I seeme yet also to hear ecchoinge in mine eares those brave and heroicke words of that great Captaine S^r John Chandois, (my Countryman also,) spoken to the prince in the fury of this battle, when hee wisely observed the first disorder in the french Army: Now Sir, take your horse, ride forth, God is this day in your hands, the French king will bee yours if hee bee well fought withall; And surely foe hee was, even beyond credit, and to the height of some heroicall fable, And thereby became his prisoner.

His purchases of Lands

- Rot. cart : 22. E.
 3. m : 11.
 carta sub sigillo
 in castr : de Berk : The 8th of Aprill in the 22th year of Edward the third, (the 18th of this lords age,) hee purchas'd of the king in fee, a market every munday and two faires in the year within his Town of Portbury, The one in the vigill day, and morrow of
 S^r John

Rot. franc : 29.
 E. 3. m : 8.
 Rot. vascon. 29.
 E. 3. m : 1. 8.

ffroisard : fo : 81.
 83. et alij.

S^t John ante portam latinam, And the other in the vigill, day, and morrowe of All Saints ; which grant was the 27th of January in the third and fourth of Phillip and Mary, confirmed to Henry lord Berkeley and his heires.

pat. 3. et. 4. Ph :
et Mar :

In the 26th and 28th of Edward the third, hee also purchafed divers lands and Tenements in Chrykefton and Uphill in Somersfetshire by the name of Mauricius de Berkeley dñs de Portbury.

carta in caftro de
Berkeley.

At the fame time hee purchafed the manor of Phillips norton in ffee of John Mattrevers the younger.

carta in caftro
de Berkeley.

In the 38th of Edward the third hee purchafed divers meffuages lands and Tenements in Slimbridge, Kingfton, Gofington, and Hurft, within the parifh of Slimbridge, of John fon of Odo of Afton.

carta in caftro
de Berkeley.

434

And afwell in the eight laft years of his fathers life, as in the next feaven years, till his own death followed, hee purchafed and drew in as many freeholders lands within his feverall manors, as were offered to bee fold : **T**he enfeofing of which was the great error of the lord Robert the fecond, Thomas the firft, and efpecially of Thomas the fecond, after the ftatute of donis conditionat : as no doubt but the complaint of this lord Maurice was, afwell as his fathers ; upon which ftringe I have already warbled in the ill harmony of the fix laft lords lives.

diverfæ cartæ
in caftro de Berk :

fol : [120, 134]

In the 41th of Edward the third, hee purchafed the Advowfon of the Chapple of Hillefly, in Hawkfbury parifh, of Witth de Cheltenham, of whom alfo the year before hee purchafed divers lands and Tenements in Piriton and Etlowe, inlargeing thereby his manor of Aure.

cartæ in caftro
de Berkeley.

His Aimes and devotions

To the end that the two Chappells, the one of our lady and the other of S^t John baptift, founded in the Caftle of Berkeley, (the one in the Keep over the great well, the other at the upper end of the great hall ftaires, whereof mention was made in his fathers life, in the dedicatory epiftle of learned Trevisa his Chaplen,) might bee renued and frequented with due honors ; This lord the 25th of May in the thirty eighth year of Edward the third, Anno . 1364 . procured of pope Urbane the fecond, forty days pardon and releafe of the penance enjoyned, to every one that fhould in the faid chappells, on the feftivall days of the yeare, heare mafles,

Bulla papal : 38.
E. 3. in caftro de
Berkeley.

or say kneeling three Ave Maryes, or should give any vestments, ornaments, gold, silver, books, chalices, or any other Aydes of charity to the said Chapples; And whosoever shall there pray for the obtainer of these presents, & for the life and good estate of the noble lord Maurice de Berkeley, and of the noble lady Elizabeth his wife, and of their children, (the obtainers thereof,) and for the soules of the lord Thomas his father, and being in purgatory, shall bee also releafed of forty dayes of the penance enjoyned them: which for the infallibility, is also under the seales of Eleaven Cardinalls. Thus the bull.

cart: in castro de
Berk:

In the 14th of Edward the third, the king at the suit of this Maurice, (then but ten years old,) gave licence to Willelm de Syde his fathers receivour, to found a Chantry in the Church of Came, and to endow it with two messuages two yard land and five pound rent in Berkeley, Came, and Wotton, which was the act of this Maurice.

And for his liberality to the hospitall of Longbridge, it is before expressed in the life of the lord Maurice the first; where I began and ended with that hospitall.

cartæ in castro de
Berkeley.

In the 23^d year of the said king, this lord gave divers lands in Portbury to Walter Rope his chaplen, to pray daily in the Chapple of that manor for the happy estate of his venerable lord and father, and of the lady Katharine his wife, and of himself and of Elizabeth his beloved wife, And for the soules of the lord Maurice and lady Eve, and for the soule of his most deere lady and mother the lady Margaret of Berkeley, with a clause of re-entry if the prayers should cease and bee neglected the space of one monthe; for that Deed.

carta in castro de
Berkeley.

And the very like grant this lord made of divers lands in the said manor of Portbury to Richard March his chaplen, upon St Valentines day in the 28th year of the said king; making as it seemes, the words of the former the president in drawing this latter; Alluding in both to the gift hee made the same yeare to the Chapple of Longbridge by Berkeley, mentioned in the life of Maurice the first of that name.

cartæ in castro de
Berkeley.

In the 40th year of that king, this lord also gave to Willelm Winchcombe Chaplen, an house before the gate of Saint Augustines Monastery, with the garden and dovehouse thereof, and divers houses in brode street in Bristoll, to pray in that monastery especially for the soule of his mother the lady Margaret.

With

With theſe faire fruites which came redily to hand I have contented my ſelfe, without further ſearch under the boughs and leaves which this honorable tree did beare. |

His Miscellaines or various affaires not aptly to be reduced under titles

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In the fourtieth of Edward the third, this lord ſent the king fix Lampryes, the firſt that were taken, which coſt him—6^{li} 7^s 2^d. And for carriage of them to the king—6^s 8^d. And the year following the firſt two Lampryes taken in the end of December coſt him 26^s 8^d the peece, ſent alſo to the kinge.

Comp : garder :
41. E. 3. in
caſtro de Berkeley.

The ſame year in Aprill hee ſent other fix lampryes to the Abbot of Glaſtonbury, which coſt him—31^s 6^d.

Comp : recept :
42. E. 3. in
caſtro de Berkeley.

And this courſe, in preſenting the king with lampryes, hee continued as his father all his life before him had done, if they were in England.

Of the antient eſtimation of which fiſh, I write more largely in my deſcription of Berkeley hundred, when I fall upon the river of Severn.

In what ſort the government of the Abby of Saint Auguſtines and the poſſeſſions thereof were, in the fortieth of Edward the third, comitted to the governance of this lord and others, I have before written in the life of Robert the firſt, the founder thereof.

pat: 40. E. 3. pars.
1. membr : 36.

His Wife

That the lady Elizabeth wife to this lord, was the daughter of Hugh lord Spenſer, and marryed in Auguſt in the 12th year of Edward the third, almoſt 23. years before his father dyed, and what was then aſſured for their preſent maintenance and for her Joynture in the County of Glouc : is before touched : And now upon the death of her huſband was aſſigned to her for dower the two third parts of the manor of Portbury, and the third part of the manor of Portefhned, and one meſſuage and dovehouſe and one yardland there, and ten pound rent | p anñ in Bridgwater in the County of Somerſet, And a meſſuage and divers lands in Saynloe, And the manors of Cowley, Upton S^t Leonards, and Awre, with the hamblets of Etlowe and Blackney, with the hundred of Blediflow, in the County of Glouc : And the manors of great and litle Wenden in the County of Effex, And thirty ſhillings rent in Cricklade in Wiltſhire, in full ſatiſfaction of dower, delivered to her the third of September after her huſbands death.

claus : 12. E. 3.
vt. antea

claus : 42. E. 3.
m : 11.
carta in caſtro
de Berkeley.

437

Escaet in turre :
13. R. 2: poſt mort
Eliz. dni Berkeley.

claus : 12. E. 3.
pars. 2. dorſo.

Hec

Comp: rec: 16.
E. 3 in castr. de
Berkeley.

Her mariage portion was one thousand marks, payable by 200 marks each half year, by a recognizance acknowledged by Hugh le Dispenfer her brother, the laft whereof was paid in the 16th of king Edward the third; And was maryed in very tender years, And hee then in the eighth year of his age as before is touched.

Comp: rec: et
gard. 41. et. 42.
E. 3. in castr. de
Berkeley.

Shce had an yearly allowance from her husbands Receiver of 20^l. each quarter, pro expensis in camera, for expences in her chamber. The year of her husbands sicknes, shee made a newe gowne for her selfe, of cloth furred throughout with Cony skins out of the kitchen.

carta in castr. de
Berkeley.

In the 46th of Edward the third, shee gave fourty markes in money to Sibill Abbeffe of Wilton, then in the fourth year of her widowhood.

Up her the said lord Maurice had issue fower sons and three daughters, of each of whom afterwards.

Escaet: 13. R. 2.
post mort. Eliz.

Shce survived her husband one and twenty years and one month and five days, And maryed not after his death, Albeit shee was not then past the age of thirty eight yeares.

Newl: pedgr: in
castr. de Berkeley.
Cart. in castr. de
Berkeley

Shce dyed the 13th of July in the 13th of Richard the second, Anno. 1389. And was buried in the parish church of S^t. Botulphes in London, having the year before, by the name of dame Elizabeth de Berkeley, dame de Portbury, granted for her life a son treschi et tres bien ame fitz Thomas de Berkeley seignior de Berkeley the said manors of Portbury and Portesehede at the rent of one hundred markes.

fin: 13. R. 2. m: 5.

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claus. 13. R. 2.
pars. 1. m. 26.
see fol. [451]

After her death writs of diem clausit extreñ went into the Counties of Glouc: Wilts, Effex, Somersfet and Dorset to inquire | according to the course of the chancery, whereupon shee was by severall inquisitions found to die seized of the severall manors and lands formerly mentioned, and as after followeth in folio .

His Issue

1. **Of** Thomas this lords eldest son I shall after write as the fourth lord of his name.

2. **James**, second son of this lord Maurice, is of right to bee numbred in the honorable catalogue of his generations; And justly in these collections to bee one of

of the one and twenty whose lives I offer unto this family ; Hee being the maine bridge by which the Castle, honor, and barony of Berkeley, is conveyed to their succession ; **Whom** for distinction, (and not unaptly as after doth appear,) I call James the Welshman : contemporary with Edward the third, Richard the second, and Henry the fourth.

For his service against the French hee was rewarded with the honor of knight-hood ; And after maryed Elizabeth, (written also Ifable,) the daughter and heir of S^r John Bluet ats Bloet knight, and of the lady Katharine Worgan his wife ; by whom hee had the Welsh manors of Raglan, Talgarth, Tore, Edifhall, Straddewy, and others, as after followeth ; And the manor of Daglingworth in the County of Glouc : And lived in Wales with his wife at her said houfes there.

Which S^r John Bluet ats Bloet was the son of Ralph Bluet ats Bloet and of Elizabeth his wife, daughter and heire of Reys Ap-Ryes son of Reys Ap-howell, from whom after the issue of Phillip Ap-Reys elder brother of the said Reys Ap-Reys was dead without issue, some of the said manors, together with the manors of Bremles, Langoyde, and the Seigniorie of Cantrefhelley, remained and came to James lord Berkeley son and heir of this S^r James.

vetus manuscr. : in
castro de Berkeley.
com. pleas. rec.
H. 6.

To this S^r James and Elizabeth, king Henry the fourth, in the first of his raigne, confirmed the town and Castle of Ragelan in the County of Monmouth, which Earle Richard son of Earle Gilbert gave in the time of king Henry the second to Walter Bloet and his heires, to hold by one Welsh knights fee, **And** further now confirms to this S^r James and Elizabeth the grant of a market and fair in their man^r of Straddewy in the Cantred of Talgarth, which king Edward the first in the 26th of his raigne granted to John Pichard and his heirs ; **To** both which antient families, this Elizabeth (saith the record) is heire. |

Pat. 1. H. 4. pars.
5. m. : 25.

To this James, this lord Maurice his father, in the one and fortieth of Edward the third, gave the manor of litle Marfheild, To hold to him and the heires males of his body, with a remainder to Maurice his brother and to the heires males of his body.

439
carta in castro de
Berkeley.

In the 4th of Henry the fourth, the king comitted to this S^r James the keeping of the castle of Tretour in Wales, And requires him to fortify the same strongly against Owen Glendourdy.

claus. 4. H. 4. m. 1.

Newl : ped : in
castro de Berkeley.

By the said Elizabeth his wife, called the lady of Raggeland, hee had issue James, after lord Berkeley, whose life draweth from me a large relation : And Maurice, to whom his father and mother conveyed for his maintenance the manor of Raggelan, &c. But hee dying without issue, the same came to his said elder brother.

Will in the prerog.
6. H. 4. 1405.

Newl. ped : in
castr. de Berkeley.

This S^r James dyed the 13th of June in the sixth year of king Henry the fourth, Anno . 1405 . twelve years and one month before his elder brother ; And lyeth buried in the Tombe of his father in the monastery of S^t Augustines by Bristoll, as after followeth, As in his will he had desired, whereby hee gave six marks pension to a preist for a year to pray for his soule after his death ; And thereof made the said Elizabeth a^s Ifable, his wife, James his son, and Edmond ffourd his servant, his Executors.

divers cartæ in
castro de Berkeley.

His said wife was after maryed to William Thomas a gentleman of her owne nation.

Newl. ped : in
castr. de Berkeley.
franc: 4. R. 2.
m : 15. 16.

3. **John** Berkeley, the third son of this lord Maurice, in the fourth year of king Richard the second, went with the lord Thomas his eldest brother into Brittain, as in his life is written ; In which martiall expedition I conceive hee dyed without issue.

fin : in banco in
Com. Devon : 28.
E. 3. pafch.
Rot. fin: 28. E. 3.
m : 15. bis.
claus : 45. E. 3.
dorfo.

4. **Maurice** Berkeley, the fourth son of this lord Maurice, was a knight and follower of the prince of Wales in his ffrench warrs. And about the 28th of king Edward the third maryed with Jone the daughter and heire of [William Hereward] by whom hee had the manors of More, Dodefcote, and Blithmisham in the County of Devon ; And the manor of Penecerron [Pencarrow] in the County of Cornwall,¹ And a manor in Compton Greenvile (not the former) in the County of Glouc : w^{ch} by fine in the 28th of Edward the third shee fettled upon her husband and her self and the heires of their two bodies, with a remainder to her own | right heirs. **And** by another fyne two years after, for default of issue of her own body, shee gave a Remainder to Thomas Berkeley of Vley and Katharine his wife, and to the heires males of their bodies, of whom I have formerly written in the life of the lord Maurice the third.

440
fin: in banco. 30.
E. 3.

cartæ in castro
de Berkeley.

Howbeit this S^r Maurice dyed shortly after, leaving Maurice his son and heire, whose wardship S^r John Welington lord of Yate granted to Elizabeth lady Berkeley his grandmother, by Deed dated the 24th of Aprill in the 45th of Edward the third.

¹ See Note C, page 380.

5. **Katharine** this lords eldest daughter became a Nunne, at Whirwell in the County of Southton.

comp. gardeñ. 41.
5. E. 3. et Recept.
42. E. 3. in castro
de Berkeley.

6. **Agnes** his second daughter, for ought I find, dyed without issue and unmarried.

comp: Rec: 41. 6.
E. 3. in castr. de
Berk.

7. **Elizabeth** his third and youngest daughter, dyed also without issue and unmarried.

Comp. predic. 41.
E. 3.

His scale of Armes

The feale of Armes which this lord used, was the cheveron and ten crosses, but without supporters or crest, encirculed, **Sigillum Mauricij de Berkeley**. In diameter about an inch and half. Behold the figure. |



NOTE.—Here again the seal does not quite agree with the description. [ED.]

His death and place of buriall

441

Vixit dum voluit, voluit dum christe volebas.

Hee lived whilst hee would, hee would untill

Hee did submit, (O christ) unto thy will.

On the 8th of June then the feast day of Corpus Christi, in the 42th of Edward the third, Anno. 1368. his soule returneth to him that gave it, after a lingring sicknes of many monthes, at his castle of Berkeley, then of the age of thirty and seven yeares and upwards; never (for ought I can conceive) thoroughly cured of the wounds hee received at the battle of Poytiers: Of which time hee had been lord since the death of his father six years seven months and eleven dayes, And lyeth buried in the monastery church of S^t Augustines by Bristoll, with his mother the lady Margaret, in the fame great Tombe under the Arch between the elder chapple of our lady and the north Isle.

Newl: ped: faith
hee died. 8: Junij.
1369. but erreth
therein.

Comp. de Slim-
bridge, Ham:
Hinton et Blidleslo.
42. E. 3. in castro
de Berkel:

Comp. 42. E. 3. in
castro de Berkeley.

From the time of his death untill his interment, were continuall masses said for his soule in the Churches of Berkeley, Wotton, and other parishes adjoining: His

comp: Recept
predict.

receiver

comp: de Hinton
42. E. 3. in castro
de Berkeley.

receiver at one time in one sum delivered towards his Sepulture—71^{l.} 16^{s.} 08^{d.}.
The Reeve of his manor of Hinton spent three quarters and feaven bushells of beanes in fatting one hundred geefe towards his funerall, And divers other Reeves of other manors the like, in geefe duckes and other pultry; which are all the broken fragments I have found at his funerall.

Of this lord it is truly said diu vixit, licet non diu fuit, hee lived longe, though hee dyed younge: Hee hath the testimony vitæ bene actæ, of a noble life well ledd.

442

The lands whereof this lord died seized

Escaet. 42. E. 3.
nº 12. in divers:
Com. post mort
p'dicti Mauricij

To Thomas his eldest son, of the age of fifteen years and upwards, hee left the inheritance of these manors and lands. |

The Castle and Town of Berkeley
The manor of Hame
The manor of Appleridge
The manor of Alkington
The manor of Hinton
The manor of Hurst
The manor of Slimbridge with the
Advowson
The manor of Came
The manor of Cowley
The burrow Town of wotton
The manor of Wotton sforren with the
Advowson
The manor of Simondfall
The hundreds of Berkeley & Bledisloe
The manor of Upton St Leonards
The 6th part of y^e manor of Aston Ilger
The manor of Aure, with Etloe and
Blakeney
The manor of Pirton
22. marks rent in fframpton
Divers lands in Saintloe and Tokenhall
The manor of litle Marthfeild to James
his son
The Isle of Stepholmes in Severn
The Advowsons of Hillsley, Sheperdine,
and other Chapples and Chuntries

In the County of
Gloucester.

The

The manor of Bedminstre	} In the County of Somerfet.
The manor of Portbury acc'ded but two parts	
The third p ^t of y ^e manor of Portthead	
The manor of Parke in Bridgwater	
The three hundreds of Bedminstre, Portbury, and Hareclive,	
Divers lands in Crifton and Uphill	

Divers lands in Chicklade in the County of Wiltses.

443

Divers houfes, Cellers, and shoppes, in the parish of S^t Andrewes of Castle Baynard, and other places in the City of London,

The mannors of great and litle Wenden in the County of Effex.

As by the severall Inquisitions in each of those Counties, found after his death, in the 42th of Edward the third, remaining in the Tower of London, and by severall Accompts and other evidences in the Castle of Berkeley appeareth.

Hee also made a will proved at Hertlebury before the Bishop of Worcester, And also before the Archbishop of Canterbury, whereof I have seene but fragments,

Comp: Rec: 42.
E. 3. in castro de
Berk:

The application and use of his life

1. The example or rather error of this lords life, admonisheth his posterity to moderate their valour and height of courage with judgement and discretion, the true attendants of true fortitude and valour. The overheat and boldnes of whose ill guided manhood in that in-utterable battle of Poytiers, (as that of noble S^t Phillip Sidney at the brave fight before Zutphen in Gelderland,) ended both their days in like ages, by like errors, to the great prejudice of their families and damage of the State, that feldome becomes the mother of such cōmaunders: Between which two, (to the best extent of my observations,) the parrallell runns so even in comparison, That I find not a fitter character, whereby to deliver to this family the image of the life, actions, and death of this their valient Ancestor, then in the fresher memory of that ever memorable knight and foldier S^t Phillip: whose epitaph erected in S^t Pauls Church in London in Anno. 1586. seemes also fitted for reviving the memory of this lord Maurice, the best of schollars, foldiers, travellers, houskeepers and good husbands of his time, age, and ranke. |

The use.

- 444 2. *Again* by a timely marriage for his son, this lord avoided the wardship of his body : whereby hee made choice of the family whereinto hee best liked to graft his posterity : drew to himself a great portion by that marriage ; prevented the payment of a greater which the king would have had : And inabled his own affaires with the strength and favour of that family whereinto his son was matched ; The observation whereof may be profitable to his posterity hereafter.

445 }
446 } Blank

NOTE C.

Pencarrow is now the feat of Lady Molefworth. At the end of the 13th century the manor of Pencarrow was held of the Dynham family by Walter Hay, who had a son Serlone, who died in his father's life-time, leaving two daughters, Johanna and Thomafine. Walter Hay left this manor, the manor of Amal-eglos, and other lands to his grand-daughter Johanna and the heirs of her body, in default, remainder to her sister Thomafine and her heirs and assigns for ever. Johanna married Sir Richard Stapledon, Knt., brother of Walter, Bishop of Exeter. Richard de Stapledon having no issue, in 1306 a fine was levied in which Master Walter Stapledon, clerk, was plaintiff, and the said Richard de Stapledon and Johanna his wife defendants, wherein the said Richard and Johanna acknowledged, *inter alia*, the manors of Pencarrow and Amal-eglos to be the right of the said Walter, and obliged their heirs to warrant the same for ever (Ped. Fin. 34 Ewd. I Easter No. 3. Cornw.) In 1320 another fine was levied, in which the same Walter, then described as Bishop of Exeter, was plaintiff, and Richard de Stapledon and Johanna his wife defendants, wherein the right of the Bishop to the said two manors, &c., was acknowledged, whereupon the Bishop granted the same to the said Richard and Johanna and the heirs of their bodies, in default remainder to William Hereward and the heirs of his body, in default remainder to the right heirs of the said Richard. (Ped. Fin. 13 Edw. II. Trinity No. 1. Cornw.) Richard de Stapledon and Johanna his wife died without issue, when Maurice son of Maurice Berkeley and Johanna his wife, daughter and heir of the said William Hereward, entered into possession in right of the remainder created by the last above-mentioned fine, and were dispossessed by John de Penhigard as heir of Thomafine the second daughter of Serlone Haye, which Thomafine married Bartholomew de Penhigard, who had a son Maurice who was the father of the said John. An action was brought against the said John for unlawfully disseisin them. It was tried at Launceston 25 Edw. III., and the jury found the fines to be good and that John de Penhigard was bound to warrant the act of his ancestors, of which at the time he could not have had any knowledge, in cutting off his own inheritance. (Assize Rolls, Cornwall, 25 Ewd. III N. 2-23-6.) See Maclean's History of Trigg Minor, vol. I. pp. 442, 443.

In the same work there is also a descent of the Berkeleys, but whether of the Berkeleys of Berkeley Castle or of Dursley we are not at present able to state. They held the manor of Cant in Cornwall. Simon Berkele, who was dead in 12th Edw. I., married Margery, daughter and heir of Johanna, daughter and co-heir of Alan Bloyou (ob 1305) by Johanna, daughter and heir of Sir Peter Nanfkeve, Knt., who married Sir Walter Bloet and died 1343. Simon Berkele had a son of his own name, who married Margery, daughter of Sir Oliver Carminou, and had issue Bartholomew Berkele, who had issue Benedict and Margaret. Benedict held the manor of Cant in 1354 and was living in 1365, and left issue a daughter and heir named Johanna. Margaret married Thomas Cheynduit of Bodanan, and both were living in 1354. They had issue a son, John Chenduit, who married his cousin Johanna and died without issue in 1426. See the same work under Cant and Cheynduit.

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